99TH CONGRESS
2d Session
HOUSE OF REPRESENTATIVES
REPORT
99-766

PROVIDING FOR THE FURTHER CONSIDERATION OF H.R. 4428

AUGUST 7, 1986.—Referred to the House Calendar and ordered to be printed

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Mr. PEPPER, from the Committee on Rules submitted the following

REPORT

[To accompany H. Res. 531]

The Committee on Rules, having had under consideration House Resolution 531, by nonrecord vote, reports the same to the House with the recommendation that the resolution do pass.

The following are the amendments made in order under House Resolution 531.

AMENDMENTS TO BE OFFERED PURSUANT TO PARAGRAPH 1 OF SECTION 2 OF HOUSE RESOLUTION 531

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. SPRATT OR HIS DESIGNEE

At the end of division D (page 365, after line 23), add the following new sections:

SEC. 4005. ADJUSTMENT IN DATE MILITARY PAY TO BE PAYABLE.

(a) PAY TO BE PAYABLE FIRST DAY OF FOLLOWING MONTH.—(1) Chapter 19 of title 37, United States Code, is amended by adding at the end the following new section:

"§ 1013. Payment date for pay and allowances

"(a) Amounts of basic pay, basic allowance for quarters, basic allowance for subsistence, and other payments of military compensation (other than travel and transportation allowances and separation allowances) shall be paid on the first day of the month beginning after the month during which the right to such compensation accrues.

"(b) Subsection (a) does not preclude one payment in mid-month for any element of compensation and does not affect any authority to make advance payments of pay and allowances.".

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"1013. Payment date for pay and allowances.".

(b) RETIREMENT ACCRUAL CHARGE.—Section 1466(a)(2) of title 10, United States Code, is amended by striking out "paid" and inserting in lieu thereof "accrued".

(c) EFFECTIVE DATE.—Section 1013 of title 37, United States Code, as added by subsection (a), and the amendment made by subsection (b) shall take effect on September 1, 1987.

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SEC. 4004. REDUCTIONS IN AUTHORIZATIONS.

(a) REDUCTIONS THROUGH ELIMINATION OR REDUCTION IN CERTAIN PROGRAMS.—Sums authorized to be appropriated in this Act are hereby reduced as follows:

Section	Account	Reduction amount
	DEPARTMENT OF DEFENSE AUTHORIZATIONS	
101(a)	Missile procurement, Army	$129,500,000
	Weapons and tracked combat vehicles, Army	49,300,000
	Ammunition, Army	37,800,000
	Other procurement, Army	182,300,000
102(a)	Aircraft procurement, Navy	680,900,000
102(b)	Weapons procurement, Navy	138,200,000
102(c)	Shipbuilding and conversion, Navy	798,600,000
102(d)	Other procurement, Navy	74,900,000
102(e)	Procurement, Marine Corps	40,200,000
103(a)	Aircraft procurement, Air Force	994,200,000
	Missile procurement, Air Force	11,700,000
	Other procurement, Air Force	214,700,000
104	Procurement, Defense Agencies	41,000,000
201	Research, development, test, and evaluation, Army	54,400,000
	Research, development, test, and evaluation, Navy (including the Marine Corps)	456,100,000
	Research, development, test, and evaluation, Air Force	407,100,000
	Research, development, test, and evaluation, Defense Agencies	461,600,000
301	Operation and maintenance, Army	700,000
	Operation and maintenance, Navy	60,000,000
	Operation and maintenance, Air Force	268,800,000
	Operation and maintenance, Defense Agencies	31,300,000
	National Board for the Promotion of Rifle Practice	3,400,000
	Foreign currency, fluctuations, Defense	495,000,000
312	Aid to Afghanistan	6,000,000
	MILITARY CONSTRUCTION AUTHORIZATIONS	
2110	Military construction, Army	99,100,000
	Inside the United States	50,210,000
	Outside the United States	48,890,000
2210	Military construction, Navy	100,350,000
	Inside the United States	78,480,000
	Outside the United States	1,870,000
	Military family housing construction	20,000,000
2306	Military construction, Air Force	97,730,000
	Inside the United States	53,150,000
	Outside the United States	44,580,000
	DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS	
3011	Operating expenses	100,000,000
3011(1)	Weapons activities	81,000,000
	Research and development	41,000,000
	Weapons testing	22,000,000
	Production and surveillance	18,000,000
3011(4)	Defense nuclear materials production	10,000,000
	Uranium enrichment for naval reactors	6,000,000
	Processing of defense nuclear materials	4,000,000
3011(5)	Defense nuclear waste and byproduct management	9,000,000
	Interim waste management	6,000,000
	Long-term waste management technology	3,000,000
3012	Plant and capital equipment: Weapons activities, project 84–D–211	10,000,000
3013	Strategic Defense Initiative	63,000,000

(b) OBLIGATION LIMITATIONS.—Limitation on obligations in this Act are hereby reduced as follows:

Section	Program	Reduction amount
102(b)	Missile programs	$115,400,000
	MK–48 torpedo program	253,400,000
102(c)	DDG–51 Guided missile Destroyer Program	798,600,000
102(d)	Aviation support equipment	34,900,000
	Civil engineering support equipment, supply support equipment, and command support equipment.	40,000,000

SEC. 4007. LIMITATION ON OBLIGATION OF FISCAL YEAR 1985 AND FISCAL YEAR 1986 FUNDS.

Funds appropriated for fiscal year 1985 and 1986 and remaining available for obligation may not be obligated as follows:

Account	1985 amount	Fiscal year 1986 amount
Aircraft procurement, Army	$21,000,000	$110,800,000
Missile procurement, Army	21,400,000	91,900,000
Procurement of weapons and tracked combat vehicles, Army	43,900,000	211,400,000
Procurement of ammunition, Army	3,900,000	30,300,000
Other procurement, Army	15,600,000	123,600,000
Aircraft procurement, Navy	86,300,000	446,100,000
Weapons procurement, Navy	48,800,000	215,600,000
Shipbuilding and conversion, Navy	168,700,000	367,500,000
Other procurement, Navy	16,100,000	117,100,000
Procurement, Marine Corps	18,200,000	52,000,000
Aircraft procurement, Air Force	212,500,000	714,500,000
Missile procurement, Air Force	53,400,000	326,400,000
Other procurement, Air Force	19,100,000	181,100,000
National Guard and Reserve equipment	900,000	17,900,000
Procurement, Defense Agencies	4,000,000	31,000,000
Research, development, test and evaluation, Army	1,900,000	71,200,000
Research, development, test and evaluation, Navy	2,800,000	71,900,000
Research, development, test and evaluation, Air Force	6,000,000	176,400,000
Research, development, test and evaluation, Defense Agencies	1,400,000	84,700,000
Director of Test and Evaluation, Defense	0	700,000
Military construction, Army	6,800,000	64,400,000
Military construction, Navy	6,800,000	45,200,000
Military construction, Air Force	6,300,000	43,200,000
Military construction, Defense Agencies	1,900,000	5,300,000
Military construction, Army National Guard	0	2,500,000
Military construction, Air National Guard	200,000	3,300,000
Military construction, Army Reserve	0	1,800,000
Military construction, Naval Reserve	0	1,200,000
Military construction, Air Force Reserve	200,000	1,800,000
North Atlantic Treaty Organization Infrastructure	0	8,000,000
Family housing, Army	900,000	19,400,000
Family housing, Navy and Marine Corps	400,000	8,800,000
Family housing, Air Force	2,400,000	12,300,000

	Budget authority	Outlays
Delay pay date Program cuts (Sec. 4005)	$292.2	$285.4
Delay pay date Program cuts (Sec. 4006)		1.9
Inflation dividend Program cuts (Sec. 4007)	−5.8	−1.4
	286.4	279.2

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DICKINSON OF ALABAMA OR HIS DESIGNEE

At the end of division D (page 365, after line 23), add the following new sections:

SEC. 4085. ADJUSTMENT IN DATE MILITARY PAY TO BE PAYABLE.

(a) PAY TO BE PAYABLE FIRST DAY OF FOLLOWING MONTH.—(1) Chapter 19 of title 37, United States Code, is amended by adding at the end the following new section:

"§ 1013. Payment date for pay and allowances

"(a) Amounts of basic pay, basic allowance for quarters, basic allowance for subsistence, and other payments of military compensation (other than travel and transportation allowances and separation allowances) shall be paid on the first day of the month beginning after the month during which the right to such compensation accrues.

"(b) Subsection (a) does not preclude one payment in mid-month for any element of compensation and does not affect any authority to make advance payments of pay and allowances.".

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"1013. Payment date for pay and allowances.".

(b) RETIREMENT ACCRUAL CHARGE.—Section 1466(a)(2) of title 10, United States Code, is amended by striking out "paid" and inserting in lieu thereof "accrued".

(c) EFFECTIVE DATE.—Section 1013 of title 37, United States Code, as added by subsection (a), and the amendment made by subsection (b) shall take effect on September 1, 1987.

SEC. 4087. LIMITATION ON OBLIGATION OF FISCAL YEAR 1985 AND FISCAL YEAR 1986 FUNDS.

Funds appropriated to the Department of Defense for fiscal year 1985 and fiscal year 1986 and remaining available for obligation may not be obligated as follows:

Account	1985 amount	Fiscal year 1986 amount
Aircraft procurement, Army	$21,000,000	$110,800,000
Missile procurement, Army	21,400,000	91,900,000
Procurement of weapons and tracked combat vehicles, Army	43,900,000	211,400,000
Procurement of ammunition, Army	3,900,000	30,300,000
Other procurement, Army	15,600,000	123,600,000
Aircraft procurement, Navy	86,300,000	446,100,000
Weapons procurement, Navy	48,800,000	215,600,000
Shipbuilding and Conversion, Navy	168,700,000	367,500,000
Other procurement, Navy	16,100,000	117,100,000
Procurement, Marine Corps	18,200,000	52,000,000
Aircraft procurement, Air Force	212,500,000	714,500,000
Missile procurement, Air Force	53,400,000	326,400,000
Other Procurement, Air Force	19,100,000	181,100,000
National Guard and Reserve equipment	900,000	17,900,000
Procurement, Defense Agencies	4,000,000	31,000,000
Research, development, test and evaluation, Army	1,900,000	71,200,000
Research, development, test and evaluation, Navy	2,800,000	71,900,000
Research, development, test and evaluation, Air Force	6,000,000	176,400,000
Research, development, test and evaluation, Defense Agencies	1,400,000	84,700,000
Director of Test and Evaluation, Defense	0	700,000
Military construction, Army	6,800,000	64,400,000
Military construction, Navy	6,800,000	45,200,000
Military construction, Air Force	6,300,000	43,200,000
Military construction, Defense Agencies	1,900,000	5,300,000
Military construction, Army National Guard	0	2,500,000
Military construction, Air National Guard	200,000	3,300,000
Military construction, Army Reserve	0	1,800,000
Military construction, Naval Reserve	0	1,200,000
Military construction, Air Force Reserve	200,000	1,800,000
North Atlantic Treaty Organization Infrastructure	0	8,000,000
Family housing, Army	900,000	19,400,000
Family housing, Navy and Marine Corps	400,000	8,800,000
Family housing, Air Force	2,400,000	12,300,000

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SEC. 4008. COST REDUCTIONS IN CONTRACT ADMINISTRATION.

(a) EARLY DELIVERY OF GOODS AND SERVICES.—(1) The Secretary of Defense shall direct that during fiscal year 1987 a component of the Deparment of Defense may not accept early delivery of goods or services from a contractor unless acceptance of such early delivery is necessary in the interests of national defense.

(2) For purposes of paragraph (1), the term "early delivery", with respect to a contract, means delivery to the Department of Defense of goods or services under the contract before the date on which delivery of such goods or services is otherwise required or scheduled.

(b) PROGRESS PAYMENTS.—The Secretary of Defense shall direct that during fiscal year 1987 a progress payment to a defense contractor (other than a payment to a small business concern) shall, notwithstanding any other law or regulation, be paid 10 days later than the date on which the payment would otherwise be made.

AMENDMENTS TO BE OFFERED PURSUANT TO PARAGRAPH 2 OF SECTION 2 OF HOUSE RESOLUTION 531

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DICKINSON OR HIS DESIGNEE

At the end of title I of division C (page 341, after line 4), add the following new section:

SEC. 3036. LIMITATION ON NUCLEAR TESTING.

(a) ONE-YEAR LIMITATION.—During calendar year 1987, funds appropriated to the Department of Defense or the Department of Energy may not be obligated or expended to carry out any nuclear explosion with a yield exceeding one kiloton, or a nuclear explosion that is conducted outside a designated test area, unless the President certifies to Congress—

(1) that the Government of Soviet Union has carried out a nuclear explosion with a yield exceeding one kiloton after December 31, 1986;

(2) that the Government of Soviet Union has carried out a nuclear explosion outside a designated test area after December 31, 1986; or

(3) that the Government of Soviet Union has refused to accept and implement reciprocal in-country monitoring arrangements to be in effect for calendar year 1987.

(b) TERMINATION FOR CERTAIN NEW AGREEMENTS.—The limitation on nuclear explosions in subsection (a) shall cease to apply if supplanted by an agreement, accord, or treaty between the Government of United States and the Government of Soviet Union establishing significant limits on nuclear explosions by such countries that is negotiated after the date of the enactment of this Act.

(c) DEFINITIONS.—For the purposes of this section:

(1) The term "in-country reciprocal monitoring arrangements" means arrangements between the United States and the Government of Soviet Union to supplement national technical means of verification through the emplacement by each country of seismic monitoring stations on the national territory of the other so that the seismic monitoring network of each nation will be capable of detecting and identifying nuclear explosions with a yield exceeding one kiloton at known nuclear weapons test sites of the other nation and at any other site of the other nation that currently has the capability to accommodate decoupled nuclear explosions with a yield exceeding one kiloton.

(2) The term "designated test area" means an area within the Soviet Union or the United States which—

(A) is known to be composed of strong-coupling rock; and

(B) is located within the boundaries of a single existing nuclear weapons testing site in such country.

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. ASPIN OR HIS DESIGNEE

At the end of title I of division C (page 341, after line 4) add the following new section:

SEC. 3036. LIMITATION ON NUCLEAR TESTING.

(a) ONE-YEAR LIMITATION.—During calendar year 1987, funds appropriated to the Department of Defense or the Department of Energy may not be obligated or expended to carry out any nuclear explosion with a yield exceeding one kiloton, or a nuclear explosion that is conducted outside a designated test area, unless the President certifies to Congress—

(1) that the Soviet Union has carried out a nuclear explosion with a yield exceeding one kiloton after December 31, 1986;

(2) that the Soviet Union has carried out a nuclear explosion outside a designated test area after December 31, 1986; or

(3) that the Soviet Union has refused to accept and implement reciprocal in-country monitoring arrangements to be in effect for calendar year 1987.

(b) TERMINATION FOR CERTAIN NEW AGREEMENTS.—The limitation on nuclear explosions in subsection (a) shall cease to apply if supplanted by an agreement, accord, or treaty between the United States and the Soviet Union establishing significant limits on nuclear explosions by such countries that is negotiated after the date of the enactment of this Act.

(c) DEFINITIONS.—For purposes of this section:

(1) The term "in-country reciprocal monitoring arrangements" means arrangements between the United States and the Soviet Union to supplement national technical means of verification through the emplacement by each country of seismic monitoring stations on the national territory of the other so that the seismic monitoring network of each nation will be capable of detecting and identifying nuclear explosions with a yield exceeding one kiloton at known nuclear weapons test sites of the other nation and at any other site of the other nation that currently has the capability to accommodate decoupled nuclear explosions with a yield exceeding one kiloton.

(2) The term "designated test area" means an area within the Soviet Union or the United States which—

(A) is known to be composed of strong-coupling rock; and

(B) is located within the boundaries of a single existing nuclear weapons testing site in such country.

AMENDMENTS TO BE OFFERED TO PARAGRAPH 4 OF SECTION 2 OF HOUSE RESOLUTION 531

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DORNAN OF CALIFORNIA

Page 34, line 4, strike out "$7,678,782,000" and insert in lieu thereof "$9,078,782,000".

Page 43, line 10, strike out "$3,400,000,000" and insert in lieu thereof "$4,800,000,000".

At the end of title II of division A (page 68, after line 4), add the following new section:

SEC. 215. STRATEGIC DEFENSE INITIATIVE FUNDING LIMITATIONS.

(a) SDI ACTIVITIES TO BE CONSISTENT WITH 1972 ABM TREATY.—None of the funds appropriated or otherwise made available for research, development, test, and evaluation for fiscal year 1987 shall be available for activites of the Strategic Defense Initiative Organization of the Department of Defense (hereinafter in this seciton referred to as the "SDIO") for any activity that is not fully consistent with the 1972 Treaty on the Limitation of Anti-Ballistic Missile Systems between the Soviet Union and United States (the "ABM" Treaty).

(b) LIMITATION ON DEMONSTRATION PROJECTS.—None of the funds appropriated or otherwise made available for fiscal year 1987 for the SDIO may be used for—

(1) any technology demonstration project;

(2) any "major experiments"; or

(3) any activity that involves engineering development aimed at the construction of experimental hardware for operational testing.

(c) LIMITATION OF FY87 FUNDS FOR THE SDIO.—Of the funds appropriated or otherwise made available for the Department of Defense for fiscal year 1987 for research, development, test, and evaluation, not more than $1,016,000,000 shall be available for the SDIO.

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. BADHAM OF CALIFORNIA

Page 34, line 4, strike out "$7,678,782,000" and insert in lieu thereof "$7,528,782,000".

Page 43, line 10, strike out "$3,400,000,000" and insert in lieu thereof "$3,250,000,000".

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. BENNETT OF FLORIDA

Page 34, line 4, strike out "$7,678,782,000" and insert in lieu thereof "$7,124,782,000".

Strike out section 208 (page 43, lines 7 through 11) and insert in lieu thereof the following:

SEC. 208. STRATEGIC DEFENSE INITIATIVE.

Of the amount authorized in section 201 for research, development, test, and evaluation for the Defense Agencies, not more than $2,846,000,000 is available for the Strategic Defense Initiative (SDI) program, such amount being the amount of $2,750,000,000 provided for fiscal year 1986 plus an additional $96,000,000 representing a 3.5 percent increase for inflation.

Strike out section 3013 (page 329, lines 21 through 25) and insert in lieu thereof the following:

SEC. 3013. AUTHORIZATION FOR STRATEGIC DEFENSE INITIATIVE.

Of the funds authorized to be appropriated in sections 3011 and 3012, $279,000,000 is authorized for programs, projects, and activities of the Strategic Defense Initiative, such amount being the amount of $270,000,000 provided for fiscal year 1986 plus an additional $9,000,000 representing a 3.5 percent increase for inflation.

Page 332, line 23, strike out "(a) IN GENERAL.—".

Page 333, strike out lines 4 through 11.

AMENDMENTS TO BE OFFERED PURSUANT TO PARAGRAPH 5 OF SECTION 2 OF HOUSE RESOLUTION 531

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DICKINSON OR HIS DESIGNEE

At the end of title X of division A (page 239, after line 5) add the following:

PART E—LIMITATIONS ON DEPLOYMENT OF STRATEGIC NUCLEAR WEAPONS CONSISTENT WITH EXISTING ARMS LIMITATION AGREEMENTS

SEC. 1041. LIMITATIONS ON STRATEGIC WEAPONS.

(a) LIMITATIONS.—Notwithstanding any other provision of law, funds may not be obligated or expended for the deployment of—

(1) launchers for more than 820 intercontinental ballistic missiles carrying multiple independently-targetable reentry vehicles;

(2) launchers for an aggregate of more than 1,200 intercontinental ballistic missiles carrying multiple independently-targetable reentry vehicles and sub-

marine-launched ballistic missiles carrying multiple independently-targetable reentry vehicles; or

(3) an aggregate of more than 1,320 launchers described in paragraph (2) and heavy bombers equipped for air-launched cruise missiles capable of a range in excess of 600 kilometers;

unless the President certifies to the Congress that the Soviet Union has deployed strategic forces in excess of these limitations.

(b) DEFINITIONS.—For purposes of this section—

(1) launchers of intercontinental ballistic missiles and submarine-launched ballistic missiles equipped with multiple independently-targetable reentry vehicles are launchers of the types developed and tested for launching intercontinental ballistic missiles and submarine-launched ballistic missiles equipped with multiple independently-targetable reentry vehicles; and

(2) air-launched cruise missiles are unmanned, self-propelled, guided, weapon-delivery vehicles which sustain flight through the use of aerodynamic lift over most of their flight path and which are flight tested from or deployed on aircraft.

(c) EFFECT OF SOVIET NONCOMPLIANCE WITH SALT II.—Subsection (a) of this section shall not take effect until such time as the Soviet Union is in compliance with all provisions of the SALT II agreement.

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DICKS OR HIS DESIGNEE

Page , after line (at the end of title X of division A), add the following:

PART E—LIMITATIONS ON DEPLOYMENT OF STRATEGIC NUCLEAR WEAPONS CONSISTENT WITH EXISTING ARMS LIMITATION AGREEMENTS

SEC. 1041. LIMITATIONS ON STRATEGIC WEAPONS.

(a) LIMITATIONS.—Notwithstanding any other provision of law, funds may not be obligated or expended for the deployment of—

(1) launchers for more than 820 intercontinental ballistic missiles carrying multiple independently-targetable reentry vehicles;

(2) launchers for an aggregate of more than 1,200 intercontinental ballistic missiles carrying multiple independently-targetable reentry vehicles and submarine-launched ballistic missiles carrying multiple independently-targetable reentry vehicles; or

(3) an aggregate of more than 1,320 launchers described in paragraph (2) and heavy bombers equipped for air-launched cruise missiles capable of a range in excess of 600 kilometers;

unless the President certifies to the Congress that the Soviet Union has deployed strategic forces in excess of these limitations.

(b) DEFINITIONS.—For purposes of this section—

(1) launchers of intercontinental ballistic missiles and submarine-launched ballistic missiles equipped with multiple independently-targetable reentry vehicles are launchers of the types developed and tested for launching intercontinental ballistic missiles and submarine-launched ballistic missiles equipped with multiple independently-targetable reentry vehicles; and

(2) air-launched cruise missiles are unmanned, self-propelled, guided, weapon-delivery vehicles which sustain flight through the use of aerodynamic lift over most of their flight path and which are flight tested from or deployed on aircraft.

Amend the table of contents of the bill accordingly.

AMENDMENTS TO BE OFFERED PURSUANT TO PARAGRAPH 6 OF SECTION 2 OF HOUSE RESOLUTION 531

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. BROWN OF CALIFORNIA

Strike out section 214 (page 67, line 17 through page 68, line 4) and insert in lieu thereof the following:

SEC. 214. LIMITATION ON TESTING OF ANTI-SATELLITE WEAPONS.

(a) ASAT TESTING MORATORIUM.—The Secretary of Defense may not carry out a test of the Space Defense System (anti-satellite weapon) against an object in space until the President certifies to Congress that the Soviet Union has conducted, after the date of the enactment of this Act, a test against an object in space of a dedicated anti-satellite weapon.

(b) EXPIRATION.—The prohibition in subsection (a) expires on October 1, 1987.

AMENDMENTS TO BE OFFERED PURSUANT TO PARAGRAPH 8 OF SECTION 2 OF HOUSE RESOLUTION 531

AMENDMENT TO H.R. 4428, as REPORTED, OFFERED BY MR. DELLUMS OF CALIFORNIA

At the end of section 2 (page 2, after line 15), add the following new section:

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to authorize appropriations for the Department of Defense for fiscal year 1987 at levels consistent with a strong national defense and a sound national economy;

(2) to minimize the risk of nuclear confrontation;

(3) to eliminate areas of waste and abuse in the budget of the Department of Defense for fiscal year 1986;

(4) to provide for improved military personnel policies designed to enhance readiness and morale; and

(5) to make other improvements in the management of the Department of Defense.

Sections 101, 102, 103, and 104 are amended to read as follows:

SEC. 101. AUTHORIZATION OF APPROPRIATIONS, ARMY.

Funds are hereby authorized to be appropriated for fiscal year 1987 for procurement of aircraft, missiles, weapons and tracked combat vehicles, ammunition, and for other procurement for the Army as follows:

For aircraft, $1,922,700,000.

For missiles, $1,921,200,000.

For weapons and tracked combat vehicles, $2,193,600,000.

For ammunition, $2,254,000,000.

For other procurement, $6,169,000,000.

SEC. 102. AUTHORIZATION OF APPROPRIATIONS, NAVY AND MARINE CORPS.

Funds are hereby authorized to be appropriated for fiscal year 1987 for procurement of aircraft, weapons (including missiles and torpedoes), naval vessels, and for other procurement for the Navy and Marine Corps as follows:

For aircraft, $7,828,300,000.

For weapons (including missiles and torpedoes), $3,833,400,000.

For naval vessels, $4,625,200,000.

For other procurement, $6,538,800,000.

For procurement for the Marine Corps (including missiles, tracked combat vehicles, and other weapons), $1,565,000,000.

SEC. 103. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal year 1987 for procurement of aircraft and missiles and for other procurement for the Air Force as follows:

For aircraft, $12,081,400,000.

For missiles, $6,610,400,000.
For other procurement, $10,900,300,000.

SEC. 104. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

Funds are hereby authorized to be appropriated for fiscal year 1987 for procurement by defense agencies in the amount of $1,488,400,000.

At the end of title I of division A (page 33, after line 17), add the following new sections:

SEC. 128. LIMITATION ON ARMY PROCUREMENT.

None of the funds appropriated pursuant to authorizations of appropriations in this title may be obligated or expended for the Pershing II missile program.

SEC. 129. LIMITATIONS ON NAVY PROCUREMENT.

None of the funds appropriated pursuant to authorizations of appropriations in this title may be obligated or expended for the sea-launched cruise missile program.

SEC. 130. LIMITATIONS ON AIR FORCE PROCUREMENT.

None of the funds appropriated pursuant to authorizations of appropriations in this title may be obligated or expended for—

(1) the MX missile program;
(2) the ground-launched cruise missile program;
(3) the B–1B bomber program; or
(4) antisatellite weapons.

SEC. 131. PROHIBITION OF ACQUISITION OF BINARY CHEMICAL WEAPONS.

None of the funds appropriated pursuant to an authorization of appropriations in section 101 may be obligated or expended to purchase binary chemical weapons.

Section 201 is amended to read as follows:

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

(a) Funds are hereby authorized to be appropriated for fiscal year 1987 for the use of the Armed Forces for research, development, test, and evaluation in amounts as follows:

For the Army, $4,446,700,000.
For the Navy (including the Marine Corps), $7,896,800,000.
For the Air Force, $9,748,200,000.
For the Defense Agencies, $4,135,300,000.

(b) In addition to the funds authorized to be appropriated in subsection (a), there are authorized to be appropriated for fiscal year 1987 such additional sums as may be necessary for increases in salary, pay, retirement, and other employee benefits authorized by law for civilian employees of the Department of Defense whose compensation is provided for by funds authorized to be appropriated in subsection (a).

At the end of title II of division A (page 68, after line 4), add the following new sections:

SEC. 215. LIMITATION ON FUNDS FOR THE ARMY.

None of the funds appropriated pursuant to an authorization of appropriations in section 201 may be obligated or expended for—

(1) the Pershing II missile program; or
(2) the ballistic missile defense program.

SEC. 216. LIMITATIONS ON FUNDS FOR THE NAVY.

None of the amount appropriated pursuant to the authorization in section 201 for the Navy may be used for—

(1) the Trident II missile program; or
(2) the sea-launched cruise missile program.

SEC. 217. LIMITATIONS ON FUNDS FOR THE AIR FORCE.

None of the amount appropriated pursuant to the authorization in section 201 for the Air Force may be used for—

(1) the MX missile program;
(2) the ground-launched cruise missile program;
(3) the B–1B bomber program; or
(4) antisatellite weapons.

SEC. 218. LIMITATIONS ON FUNDS FOR THE DEFENSE AGENCIES.

None of the amount appropriated pursuant to the authorization in section 201 for the Defense Agencies may be used for antisatellite weapons.

SEC. 219. PROHIBITION OF DEVELOPMENT OF BINARY CHEMICAL WEAPONS.

None of the funds appropriated pursuant to an authorization of appropriations in section 201 may be obligated or expended for research, development, test, or evaluation of binary chemical weapons.

SEC. 220. STRATEGIC DEFENSE INITIATIVE FUNDING LIMITATIONS.

(a) SDI ACTIVITIES TO BE CONSISTENT WITH 1972 ABM TREATY.—None of the funds appropriated or otherwise made available for research, development, test, and evaluation for fiscal year 1987 shall be available for activities of the Strategic Defense Initiative Organization of the Department of Defense (hereinafter in this section referred to as the "SDIO") for any activity that is not fully consistent with the 1972 Treaty on the Limitation of Anti-Ballistic Missile Systems between the Soviet Union and United States (the "ABM Treaty").

(b) LIMITATION ON DEMONSTRATION PROJECTS.—None of the funds appropriated or otherwise made available for fiscal year 1987 for the SDIO may be used for—

(1) any technology demonstration project;

(2) any major experiment; or

(3) any activity that involves engineering hardware for operational testing.

(c) LIMITATION OF FY87 FUNDS FOR THE SDIO.—Of the funds appropriated or otherwise made available for the Department of Defense for fiscal year 1987 for research, development, test, and evaluation, not more than $1,016,000,000 shall be available for the SDIO.

Sections 301 and 302 are amended to read as follows:

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

(a) Funds are hereby authorized to be appropriated for fiscal year 1987 for the military functions of the Department of Defense for operation and maintenance in the amount of $74,282,000,000.

(b) In addition to the funds authorized to be appropriated in subsection (a), there are authorized to be appropriated for fiscal year 1987 such additional sums as may be necessary—

(1) for increases in salary, pay, retirement, and other employee benefits authorized by law for civilian employees of the Department of Defense whose compensation is provided for by funds authorized to be appropriated in such subsection;

(2) for unbudgeted increases in fuel costs; and

(3) for increases as the result of inflation in the cost of activities authorized by subsection (a).

SEC. 302. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 1987 for the use of the Armed Forces of the United States and other activities and agencies of the Department of Defense for providing capital for working capital funds, in the amount of $1,860,000,000.

At the end of title III of division A (page 85, after line 12), add the following new section:

SEC. 314. ELIMINATION OF NATIONAL BOARD FOR THE PROMOTION OF RIFLE PRACTICE.

None of the funds appropriated pursuant to an authorization of appropriations in section 301 may be obligated or expended for the National Board for the Promotion of Rifle Practice.

Sections 401, 402, and 403 are amended to read as follows:

SEC. 401. ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 1987, as follows:

(1) The Army, 751,300.

(2) The Navy, 541,050.

(3) The Marine Corps, 192,500.

(4) The Air Force, 565,800.

SEC. 402. AUTHORIZATION OF AVERAGE STRENGTHS FOR SELECTED RESERVE.

(a) For fiscal year 1987 the Selected Reserve of the reserve components of the Armed Forces shall be programmed to attain average strengths of not less than the following:

(1) The Army National Guard of the United States, 398,010.
(2) The Army Reserve, 291,900.
(3) The Naval Reserve, 94,000.
(4) The Marine Corps Reserve, 41,900.
(5) The Air National Guard of the United States, 108,700.
(6) The Air Force Reserve, 63,736.
(7) The Coast Guard Reserve, 10,700.

(b) The average strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by (1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at any time during the fiscal year, and (2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at any time during the fiscal year. Whenever such units or such individual members are released from active duty during any fiscal year, the average strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be proportionately increased by the total authorized strength of such units and by the total number of such individual members.

SEC. 403. AUTHORIZATION OF END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

(a) Within the average strengths prescribed in section 601, the reserve components of the Armed Forces are authorized, as of September 30, 1987, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 19,750.
(2) The Army Reserve, 10,700.
(3) The Naval Reserve, 11,680.
(4) The Marine Corps Reserve, 1,475.
(5) The Air National Guard of the United States, 6,815.
(6) The Air Force Reserve, 545.

(b) Upon a determination by the Secretary of Defense that such action is in the national interest, the end strengths prescribed by subsection (a) may be increased by a total of not more than the number equal to 2 percent of the total end strengths prescribed.

Section 404(a) is amended to read as follows:

(a) For fiscal year 1987, the components of the Armed Forces are authorized average military training student loads as follows:

(1) The Army, 57,990.
(2) The Navy, 65,130.
(3) The Marine Corps, 18,300.
(4) The Air Force, 46,300.
(5) The Army National Guard of the United States, 7,500.
(6) The Army Reserve, 8,500.
(7) The Naval Reserve, 1,050.
(8) The Marine Corps Reserve, 2,840.
(9) The Air National Guard of the United States, 2,380.
(10) The Air Force Reserve, 1,405.

At the end of title IV in division A (page 88, after line 25), add the following new section:

SEC. 405. INCREASE IN NUMBER OF CERTAIN PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY IN SUPPORT OF THE RESERVE COMPONENTS.

(a) SENIOR ENLISTED MEMBERS.—The table in section 517(b) of title 10, United States Code, is amended to read as follows:

Grade	Army	Navy	Air Force	Marine Corps
E–9	517	175	80	9
E–8	2,296	381	358	74".

(b) OFFICERS.—The table in section 524(a) of such title is amended to read as follows:

Grade	Army	Navy	Air Force	Marine Corps
Major or Lieutenant Commander	2,476	875	476	100
Lieutenant Colonel or Commander	1,240	520	318	60
Colonel or Navy Captain	360	177	189	25".

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on October 1, 1986.

At the end of title X in division A (page 239, after line 5), add the following new section:

SEC. 1033. PROGRAMS FOR CONVERSION FROM MILITARY ECONOMY TO PEACETIME ECONOMY.

(a) ASSISTANCE TO COMMUNITIES AND WORKERS.—The Secretary of Defense shall establish programs to provide economic readjustment assistance to communities and workers affected by the reductions in weapons programs and other defense programs provided for under this Act. Such readjustment programs shall provide the means to promote orderly economic adjustment which will—

(1) minimize the dislocation of workers, communities, and industries;

(2) assure that such dislocations do not compound recessionary trends; and

(3) encourage conversion of technologies and managerial and workers skills developed in defense production to projects which serve the civilian sector.

(b) TYPES OF ASSISTANCE.—Assistance which may be provided under programs established under this section includes—

(1) job training programs and job relocation expenses for workers displaced by termination of defense contracts affected by the reductions in defense expenditures required by this Act;

(2) emergency economic assistance and health care benefits for workers and their families directly affected by such reductions in defense expenditures; and

(3) emergency economic assistance to the communities directly affected by such reductions and defense expenditures, to be made in the form of grants designed to assist in the conversion of industrial plant facilities in the community to use in the civilian sector.

(c) AUTHORIZATION.—For purposes of carrying out programs established under this section, there is authorized to be appropriated to the Department of Defense for fiscal years beginning after September 30, 1986, the sum of $5,000,000,000.

AMENDMENTS TO BE OFFERED PURSUANT TO PARAGRAPH 9 OF SECTION 2 OF HOUSE RESOLUTION 531

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. PORTER OF ILLINOIS OR HIS DESIGNEE

Page 27, strike out line 14 and all that follows through line 11 on page 28 and insert in lieu thereof the following:

SEC. 123. CHEMICAL MUNITIONS.

(a) PROHIBITION ON SPENDING FUNDS FOR BINARY CHEMICAL MUNITIONS.—Before October 1, 1987, funds appropriated to the Department of Defense for fiscal year 1986 or fiscal year 1987 may not be used—

(1) for procurement (including advance procurement of long-lead components) of binary chemical munitions, including the Bigeye bomb; or

(2) for the establishment of a production base for such munitions.

Page 28, line 12, strike out "(c)" and insert in lieu thereof "(b)".

At the end of title I (page 33, after line 17), add the following new section:

SEC. 128. PROHIBITION ON WITHDRAWAL OF EUROPEAN CHEMICAL STOCKPILE.

United States chemical munitions stored in Europe on the date of the enactment of this Act may not be removed from Europe unless they are replaced with binary chemical munitions stationed on the soil of at least one European member nation of the North Atlantic Treaty Organization.

The following are the amendments made in order pursuant to paragraph 3 of section 2 of House Resolution 531, to be offered only in the following order.

1. AN AMENDMENT OFFERED BY REPRESENTATIVE BENNETT OF FLORIDA DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. BENNETT OF FLORIDA

Page 8, line 18, strike out "$6,071,000,000" and insert in lieu thereof "$4,971,000,000".

At the end of part A of title I of division A (page 21, after line 14), add the following new sections:

SEC. 114. PROHIBITION ON USE OF FUNDS FOR MX MISSILE PROGRAM.

None of the funds appropriated or otherwise made available to the Air Force for fiscal year 1987 may be obligated or expended for test missiles under the MX missile program.

SEC. 115. INCREASED AUTHORIZATIONS FOR CONVENTIONAL WEAPONS PROGRAMS.

(a) ARMY.—The amount authorized to be appropriated in section 101(a)(4) for ammunition for the Army is increased by $85,000,000, none of which shall be available for nuclear weapons programs or chemical weapons programs.

(b) NAVY AND MARINE CORPS.—The amounts authorized to be appropriated in section 102 for the Navy and Marine Corps are increased as follows:

(1) For aircraft procurement, Navy, $46,800,000, of which—

(A) $45,800,000 is for modification of aircraft for the following programs and amounts:

(i) A–4 series, $10,000,000.
(ii) EA–6 series, $3,000,000.
(iii) F–4 series, $1,600,000.
(iv) SH–60 series, $1,800,000.
(v) Common ECM equipment $29,400,000.

(B) $1,000,000 is for spares and repair parts for the AH–IT aircraft.

(2) For weapons procurement, Navy, $10,500,000 for Other Missiles Support.

(3) For Other Procurement, Navy, $29,800,000, of which—

(A) $10,400,000 is for supply support equipment for automated materials handling systems; and

(B) $19,400,000 is for personnel and command support equipment for the following programs and amounts:

(i) Training Support Equipment, $5,100,000.
(ii) Commercial Support Equipment, $3,900,000.
(iii) Naval Reserve Support Equipment, $5,000,000.
(iv) Oceanographic Support Equipment, $5,400,000.

(4) For Marine Corps Procurement, $25,000,000, of which—

(A) $21,200,000 is for mortar ammunition.

(B) $3,800,000 is for weapons procurement for the following programs and amounts:

(i) Mortar, medium extended range, 100 units for $2,200,000.
(ii) Machine gun, auto saw 5.56-millimeter, $700,000.
(iii) Mk–19 40-millimeter machine gun, for $900,000.

(c) AIR FORCE.—The amount authorized to be appropriated in section 103 for Other Procurement, Air Force, is increased by $52,900,000 as follows:

(1) $37,900,000 for munitions and associated support costs, in quantities and amounts as follows:

(A) Cartridge caliber 5.56 millimeter, 28,193 units and $3,900,000.
(B) Cartridge 20 millimeter combat, 1,273 units and $3,700,000.
(C) Cartridge 30 millimeter API, 199 units and $8,300,000.
(D) Bomb hard target, 2000 pound, 500 units and $10,000,000.
(E) Target, Aerial tow target assembly, 248 units and $6,200,000.
(F) Other Items, MJU–10B Flare, 40 units and $5,800,000.
(2) $15,000,000 for other base support, of which—
(A) $5,000,000 is for tactical shelters.
(B) $10,000,000 is for mobility equipment.

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2. AN AMENDMENT OFFERED BY REPRESENTATIVE BENNETT OF FLORIDA DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. BENNETT OF FLORIDA

Page 8, line 18, strike out "$6,071,000,000" and insert in lieu thereof "$4,971,000,000".

At the end of part A of title I of division A (page 21, after line 14), add the following new section:

SEC. 114. INCREASED AUTHORIZATIONS FOR CONVENTIONAL WEAPONS PROGRAMS.

(a) ARMY.—The amounts authorized to be appropriated in section 101 for the Army are increased as follows:
(1) For ammunition, $119,000,000, none of which shall be available for nuclear weapons programs or chemical weapons programs, of which $34,000,000 is for Proj. 155mm, HE Adam M731.
(2) For Other Procurement, Army, $32,800,000, of which—
(A) $18,000,000 is for tactical and support vehicles for the following programs and amounts:
(i) Chassis Trailer, GP, 3½ ton, $3,700,000.
(ii) Semitrailer, Tank, 7,500 gal., $7,300,000.
(iii) Semitrailer, Van Supply, 12 ton, $7,000,000.
(B) $14,800,000 is for other support equipment in the following programs and amounts:
(i) Tug Inland and Coastal Waterways, $10,000,000.
(ii) Railway Car, Tank, Pol, $4,800,000.
(b) NAVY AND MARINE CORPS.—The amounts authorized to be appropriated in section 102 for the Navy and Marine Corps are increased as follows:
(1) For aircraft procurement, Navy, $46,800,000, of which—
(A) $45,800,000 is for modification of aircraft for the following programs and amounts:
(i) A–4 series, $10,000,000.
(ii) EA–6 series, $3,000,000.
(iii) F–4 series, $1,600,000.
(iv) SH–60 series, $1,800,000.
(v) Common ECM equipment $29,400,000.
(B) $1,000,000 is for spares and repair parts for the AH–IT aircraft.
(2) For weapons procurement, Navy, $50,500,000, of which—
(A) $10,500,000 is for Other Missiles Support.
(B) $40,000,000 is for the MK–60 Captor.
(3) For Shipbuilding and Conversion, Navy, $49,800,000 for one TAGOS surtass ship.
(4) For Other Procurement, Navy, $29,800,000, of which—
(A) $10,400,000 is for supply support equipment for automated materials handling systems; and
(B) $19,400,000 is for personnel and command support equipment for the following programs and amounts:
(i) Training Support Equipment, $5,100,000.
(ii) Commercial Support Equipment $3,900,000.
(iii) Naval Reserve Support Equipment, $5,000,000.
(iv) Oceanographic Support Equipment, $5,400,000.
(5) For Marine Corps Procurement, $25,000,000, of which—
(A) $21,200,000 is for mortar ammunition.

(B) $3,800,000 is for weapons procurement for the following programs and amounts:

(i) Mortar, medium extended range, 100 units for $2,200,000.

(ii) Machine gun, auto saw 5.56-millimeter, $700,000.

(iii) Mk-19 40-millimeter machine gun, for $900,000.

(c) AIR FORCE.—The amount authorized to be appropriated in section 103 for Other Procuremen., Air Force, is increased by $196,000,000 as follows:

(1) $47,000,000 for munitions and associated support costs, in quantities and amounts as follows:

(A) 2.75 inch rocket motor, $1,800,000.

(B) 2.75 inch rocket head wp, $7,300,000.

(C) Cartridge caliber 5.56 millimeter, 28,193 units and $3,900,000.

(D) Cartridge 20 millimeter combat, 1,273 units and $3,700,000.

(E) Cartridge 30 millimeter API, 199 units and $8,300,000.

(F) Bomb hard target, 2,000 pound, 500 units and $10,000,000.

(G) Target, Aerial tow target assembly, 248 units and $6,200,000.

(H) Other Items, MJU-10B Flare, 40 units and $5,800,000.

(2) $11,400,000 for electronics and telecommunications programs, of which—

(A) $7,000,000 is for traffic control and landing systems.

(B) $4,400,000 is for North Atlantic Defense C3.

(C) $15,000,000 is for MAC Command and Control support.

(D) $31,800,000 is for Range Improvements.

(E) $3,700,000 is for radar bomb scorer.

(F) $30,000,000 is for Joint Tactical Communications Prog.

(G) $20,000,000 is for Tactical C-E Equipment.

(H) $20,300,000 is for radio equipment.

(I) $1,900,000 is for fiber optic equipment.

(3) $15,000,000 for other base support, of which—

(A) $5,000,000 is for tactical shelters.

(B) $10,000,000 is for mobility equipment.

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3. AN AMENDMENT OFFERED BY REPRESENTATIVE SPRATT OF SOUTH CAROLINA DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. SPRATT OF SOUTH CAROLINA

Page 32, after line 21, add the following new paragraphs:

(3) Of the funds appropriated or otherwise made available to the Air Force for fiscal year 1987 for procurement, none of the funds may be obligated for the T-46A Trainer aircraft program. Funds appropriated or otherwise made available to the Air Force for fiscal years 1986 to procure the T-46A Trainer aircraft shall remain available to carry out paragraph (4) during fiscal year 1987, if so provided in appropriation Acts. If any funds are unobligated after carrying out paragraph (4), the funds may be used to procure T-46A Trainer aircraft during fiscal year 1987.

(4) Before the Secretary of the Air Force enters into a contract for the T-46A Trainer aircraft, the Secretary shall evaluate and compare the performance and cost of the proposed T-46A Trainer aircraft, a modified and upgraded existing T-37 aircraft, and a T-37 aircraft with new technology (or other aircraft that meets the trainer requirements of the T-46A Trainer aircraft). The evaluation shall include the development of a prototype of the T-37 (or other) aircraft and a fly-off to compare the T-46A Trainer aircraft and the prototype aircraft. The Secretary shall submit a report to the Committees on Armed Services and Appropriations of the House of Representatives and the Senate on the results of such evaluation.

Page 32, line 22, insert before "Funds" the following: "Of the amounts authorized for procurement for the Air Force for fiscal year 1987, $2,533,300,000 shall be available to procure F-16 aircraft during fiscal year 1987.".

4. AN AMENDMENT OFFERED BY REPRESENTATIVE SPRATT OF SOUTH CAROLINA DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. SPRATT OF SOUTH CAROLINA

Page 32, line 22, insert before "Funds" the following: "Funds appropriated or otherwise made available to the Air Force for fiscal year 1987 for procurement shall be used to procure no fewer than 190 F-16 aircraft.".

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5. AN AMENDMENT OFFERED BY REPRESENTATIVE DICKINSON OR ALABAMA OR HIS DESIGNEE DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DICKINSON OF ALABAMA OR HIS DESIGNEE

At the end of title I of division A (page 33, after line 17), insert the following new section:

SEC. 128. ADDITIONAL LIMITATIONS ON FUNDS FOR THE AIR FORCE.

(a) LIMITATION ON T-46 TRAINER AIRCRAFT.—Notwithstanding any other provision of this title, no funds appropriated for the Air Force for fiscal year 1987 may be used for the T-46 trainer aircraft.

(b) ADDITIONAL F-15 AND F-16 AIRCRAFT.—Of the amounts appropriated for the Air Force for fiscal 1987, $151,000,000 may be used only for the procurement of additional F-15 aircraft or F-16 aircraft.

(c) REPORT.—(1) The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report concerning the allocation of the funds described in subsection (b).

(2) The reported required by paragraph (1) shall be submitted not later than the end of the 30-day period beginning on the date of the enactment of this Act.

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6. AN AMENDMENT OFFERED BY REPRESENTATIVE MONTGOMERY OF MISSISSIPPI DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. MONTGOMERY OF MISSISSIPPI

Page 10, line 1, strike out "$509,100,000" and insert in lieu thereof "$539,100,000".

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7. AN AMENDMENT OFFERED BY REPRESENTATIVE DELLUMS OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DELLUMS OF CALIFORNIA

Page 11, line 8, strike out "STRATEGIC BOMBER CONTINGENCY FUND" and insert in lieu thereof "REPORT ON ATB PROGRAM".

Page 11, strike out line 9 and all that follows through line 11 on page 12.

Page 12, strike out line 17 and all that follows through line 9 on page 13.

Redesignate subsections c, f and g as subsections a, b and c.

8. AN AMENDMENT OFFERED BY REPRESENTATIVE SPRATT OF SOUTH CAROLINA DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. SPRATT OF SOUTH CAROLINA

Strike out section 107 (page 11, line 8 through page 13, line 16) and redesignate the following sections accordingly.

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9. AN AMENDMENT OFFERED BY REPRESENTATIVE SPRATT OF SOUTH CAROLINA DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. SPRATT OF SOUTH CAROLINA

Page 11, lines 10 and 15, strike out "$200,000,000" and insert in lieu therof "$100,000,000".

Page 11, strike out line 19 and all that follows through "ATB—" on page 12, line 7.

Page 12, lines 9 and 10, strike out "not used for the purpose described in paragraph (1)".

Page 12, line 21, strike out "(beyond" and all that follows through "subsection (b))" on line 23.

Page 13, line 1, strike out "a" and insert in lieu thereof "the".

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10. AN AMENDMENT OFFERED BY REPRESENTATIVE LLOYD OF TENNESSEE DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT BY MRS. LLOYD TO H.R. 4428, DIVISION A, PART A, PRESIDENTIAL DECISION

On page 30, line 19, before the period, insert a comma and the following: "or both".

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11. AN AMENDMENT OFFERED BY REPRESENTATIVE SPRATT OF SOUTH CAROLINA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. SPRATT

Page 3, line 8, strike out "$2,361,900,000" and insert in lieu thereof "$2,391,900,000".

Page 3, line 12, strike out "$5,093,600,000" and insert in lieu thereof "$5,150,900,000".

Page 3, line 18, strike out "$1,407,200,000" and insert in lieu thereof "$1,464,500,000".

Page 8, line 17, strike out "$16,746,800,000" and insert in lieu thereof "$17,237,200,000".

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12. AN AMENDMENT OFFERED BY REPRESENTATIVE BYRON OF MARYLAND DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MRS. BYRON

Strike out section 121 (page 2, line 15, through page 23, line 17) and insert in lieu thereof the following:

SEC. 121. TESTING OF BRADLEY FIGHTING VEHICLE.

(a) TEST PLAN FOR SURVIVABILITY ENHANCEMENTS.—(1) The Secretary of Defense shall carry out live fire testing of the Bradley Fighting Vehicle in accordance with this section.

(2) In developing a plan for such testing, the Secretary shall develop for comparatively testing and evaluating the Army proposed survivability enhancements for the vehicle against a "minimum casualty baseline" vehicle. Such plan—

(A) shall include a proposal and an expedited schedule for live fire testing of the concept of the so-called "minimum casualty baseline" version of the Bradley vehicle, which shall be a minimally-modified vehicle which removes fuel and ammunition from the troop compartment of the vehicle; and

(B) shall be developed in consultation with the Secretary of the Army, the Assistant Secretary of Defense for Operational Test and Evaluation, the Deputy Director of Developmental Test and Evaluation, and the National Academy of Sciences.

(3) After developing the plan required by paragraph (2), the Secretary shall certify to Congress that the conditions and plan for the live fire testing of the Bradley Fighting Vehicle represent the most realistic and suitable conditions and plan to evaluate the casualty reductions likely to be achieved by the proposed survivability enhancements in combat.

(4) The Comptroller General shall—

(A) review all materials of the Department of Defense used to develop the plan with respect to which the certification under paragraph (3) is made; and

(B) submit to the Committees on Armed Services and on Appropriations of the Senate and House of Representatives a report giving the assessment of the Comptroller General as to the realism and suitability of the conditions and plan to evaluate the casualty reductions likely to be achieved by the proposed survivability enhancements of the Bradley Fighting Vehicle.

(b) CONDUCT OF LIVE FIRE TESTING.—(1) The Secretary of Defense shall conduct live-fire testing of the Bradley Fighting Vehicle so as to comparatively test the Army-proposed survivability enhancements of such vehicle against the Minimum Casualty Baseline vehicle in accordance with the plan and with respect to which the certification under subsection (a)(3) was made.

(2) The Secretary of the Army, the Assistant Secretary of Defense for Operational Test and Evaluation, and the Deputy Director of Developmental Test and Evaluation shall review the results of such testing and shall submit independent, uncoordinated reports evaluating these results to the Secretary of Defense.

(3) The Comptroller General shall provide oversight of the testing.

(4) The Secretary of the Army, the Assistant Secretary, the Deputy Director for Developmental Testing and Evaluation, and the Comptroller General shall each observe the conduct of the testing.

(c) REPORTS.—(1) The Secretary of Defense shall submit to Congress a report on the results of the live-fire testing of the Bradley Fighting Vehicle. The Secretary shall include as an appendix to such report the reports of the Secretary of the Army, the Assistant Secretary of Defense for Operational Test and Evaluation, and the Deputy Director of Developmental Test and Evaluation submitted under subsection (b)(2).

(2) The Comptroller General shall review the results of the test firings and the reports to the Secretary of Defense under paragraph (1) and shall submit to Congress a report giving the Comptroller General's evaluation of such results and reports.

(d) OBLIGATION OF PROGRAM FUNDS.—Until the Secretary of Defense submits to Congress the report under subsection (c)(1), the Secretary of the Army may not—

(1) obligate funds for more than 336 units of the Bradley Fighting Vehicle authorized for fiscal year 1987, or

(2) make a production decision concerning survivability enhancements of such vehicle.

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13. AN AMENDMENT OFFERED BY REPRESENTATIVE BUSTAMANTE OF TEXAS DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428 OFFERED BY MR. BUSTAMANTE OF TEXAS

Strike out section 121 (page 2, line 15, through page 23, line 17) and insert in lieu thereof the following:

SEC. 121. TESTING OF BRADLEY FIGHTING VEHICLE.

(a) TEST PLAN FOR SURVIVABILITY ENHANCEMENTS.—(1) The Secretary of Defense shall carry out live fire testing of the Bradley fighting vehicle in accordance with this section.

(2) In developing a plan for such testing, the Secretary shall develop for comparatively testing and evaluating Army proposed survivability enhancements for the vehicle against a "minimum casualty baseline". Such plan—

(A) shall include a proposal and an expedited schedule for live fire testing of the concept of the so-called "minimum casualty baseline" version of the Bradley vehicle, which shall be a minimally-modified vehicle which removes all fuel and ammunition from the troop compartment and which adds a maximum effectiveness spall liner to the walls, roof, and turret of the Bradley;

(B) shall be developed in consultation with the Secretary of the Army, the Assistant Secretary of Defense for Operational Test and Evaluation, and the Assistant Deputy Under Secretary of Defense (live-fire test);

(C) shall include the firing of Soviet munitions likely to be encountered in combat, the number of which is commensurate with twice the number of rounds fired at fully combat configured Bradleys during Phase I live-fire tests, at fully combat-loaded Army improved Bradleys and at the minimum casualty baseline versions of the Bradley, using the same weapons with the same aimpoints on both vehicles for comparative purposes. The shots fired on both vehicles must be selected at random from actual combat distributions of weapons impact points. This section does not preclude the firing of additional nonrandom shots deemed appropriate by the Army for test purposes.

(3) After developing the plan required by paragraph (2), the Secretary shall certify to Congress that the conditions and plan for the live-fire testing of the Bradley fighting vehicle represent the most realistic and suitable conditions and plan to evaluate the casualty reductions likely to be achieved by the proposed survivability enhancements in combat.

(4) The Comptroller General shall—

(A) review all materials of the Department of Defense used to develop the plan with respect to which the certification under paragraph (3) is made; and

(B) submit to the Committees on Armed Services and on Appropriations of the Senate and the House of Representatives a report giving the assessment of the Comptroller General as to the realism and suitability of the conditions and plan to evaluate the casualty reductions likely to be achieved by the proposed survivability enhancements of the Bradley fighting vehicle.

(b) CONDUCT OF LIVE FIRE TESTING.—(1) The Secretary of Defense shall conduct live-fire testing of the Bradley fighting vehicle so as to comparatively test the United States Army-proposed survivability enhancements of such vehicle against the "minimum casualty baseline" in accordance with the plan and with respect to which the certification under subsection (a)(3) was made.

(2) The Secretary of Army, the Assistant Secretary of Defense for Operational Test and Evaluation and the Assistant Deputy Under Secretary of Defense (live-fire test) shall review the results of such testing and shall submit independent, uncoordinated reports evaluating these results to the Secretary of Defense.

(3) The Comptroller General shall provide oversight of the testing.

(4) The Secretary of the Army, the Assistant Secretary, the Assistant Deputy Under Secretary of Defense (live-fire test) and the Comptroller General shall each observe the conduct of the testing.

(c) REPORTS.—(1) The Secretary of Defense shall submit to Congress a report on the results of the live-fire testing of the Bradley fighting vehicle, including proposed surviablity modification board on the results of the live-fire test and the project cost of such modification. The Secretary shall make available as an appendix to this report the independent, uncoordinated reports of the Secretary of the Army, the Assistant Secretary of Defense for Operational Test and Evaluation, and the Assistant Deputy Under Secretary of Defense (live-fire test).

(2) The Comptroller General shall review the results of the test firings and the reports to the Secretary of Defense under paragraph (1) and shall submit to Congress a report giving the Comptroller General's evaluation of such results and reports.

(d) OBLIGATION OF PROGRAM FUNDS.—Until the Secretary of Defense submits to Congress the report in subsection (c)(1), the Secretary of the Army may not—

(1) obligate funds for more than 336 of the Bradley fighting vehicles authorized in fiscal year 1987, or

(2) make a production decision concerning survivability enhancements.

14. AN AMENDMENT OFFERED BY REPRESENTATIVE LEVINE OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428 OFFERED BY MR. LEVINE OF CALIFORNIA

Strike out section 121 (page 2, line 15, through page 23, line 17) and insert in lieu thereof the following:

SEC. 121. TESTING OF BRADLEY FIGHTING VEHICLE.

(a) TEST PLAN FOR SURVIVABILITY ENHANCEMENTS.—(1) The Secretary of Defense shall carry out live-fire testing of the Bradley fighting vehicle in accordance with this section.

(2) In developing a plan for such testing, the Secretary shall develop for comparatively testing and evaluating Army proposed survivability enhancements for the vehicle against a "minimum casualty baseline". Such plan—

(A) shall include a proposal and an expedited schedule for live-fire testing of the concept of the so-called "minimum casualty baseline" version of the Bradley vehicle, which shall be a minimally-modified vehicle which removes all fuel and ammunition from the troop compartment and which adds a maximum effectiveness spall liner to the walls, roof, and turret of the Bradley;

(B) shall be developed in consultation with the Secretary of the Army, the Assistant Secretary of Defense for Operational Test and Evaluation, and the Assistant Deputy Under Secretary of Defense (live-fire test); and

(C) shall include the firing of Soviet munitions likely to be encountered in combat, the number of which is commensurate with twice the number of rounds fired at fully combat configured Bradleys during Phase I live-fire tests, at fully combat-loaded Army improved Bradleys and at the minimum casualty baseline versions of the Bradley, using the same weapons with the same aimpoints on both vehicles for comparative purposes. The shots fired on both vehicles must be selected at random from actual combat distributions of weapons impact points. This section does not preclude the firing of additional nonrandom shots deemed appropriate by the Army for test purposes.

(3) After developing the plan required by paragraph (2), the Secretary shall certify to Congress that the conditions and plan for the live-fire testing of the Bradley fighting vehicle represent the most realistic and suitable conditions and plan to evaluate the casualty reductions likely to be achieved by the proposed survivability enhancements in combat.

(4) The Comptroller General shall—

(A) review all materials of the Department of Defense used to develop the plan with respect to which the certification under paragraph (3) is made; and

(B) submit to the Committees on Armed Services and on Appropriations of the Senate and the House of Representatives a report giving the assessment of the Comptroller General as to the realism and suitability of the conditions and plan to evaluate the casualty reductions likely to be achieved by the proposed survivability enhancements of the Bradley fighting vehicle.

(b) CONDUCT OF LIVE FIRE TESTING.—(1) The Secretary of Defense shall conduct live-fire testing of the Bradley fighting vehicle so as to comparatively test the Army-proposed survivability enhancements of such vehicle against the "minimum casualty baseline" in accordance with the plan and with respect to which the certification under subsection (a)(3) was made.

(2) The Secretary of Army, the Assistant Secretary of Defense for Operational Test and Evaluation, and the Assistant Deputy Under Secretary of Defense (live-fire test) shall review the results of such testing and shall submit independent, uncoordinated reports evaluating these results to the Secretary of Defense.

(3) The Comptroller General shall provide oversight of the testing.

(4) The Secretary of the Army, the Assistant Secretary, and the Assistant Deputy Under Secretary of Defense (live-fire test), and the Comptroller General shall each observe the conduct of the testing.

(c) REPORTS.—(1) The Secretary of Defense shall submit to Congress a report on the results of the live-fire testing of the Bradley fighting vehicle, including proposed survivability modifications based on the results of the live-fire tests and the projected costs of such modifications. The Secretary shall make available as an appendix to this report the independent, uncoordinated reports of the Secretary of the Army, the Assistant Secretary of Defense for Operational Test and Evaluation, and the Assistant Deputy Under Secretary of Defense (live-fire test).

(2) The Comptroller General shall review the results of the test firings and the reports to the Secretary of Defense under paragraph (1) and shall submit to Con-

gress a report giving the Comptroller General's evaluation of such results and reports.

(d) OBLIGATION OF PROGRAM FUNDS.—Until the end of the 60-day period beginning on the date the Secretary of Defense submits to Congress the report in subsection (c)(1), the Secretary of the Army may not—

(1) obligate funds for Bradley fighting vehicles authorized for fiscal year 1987, except for long-lead items, or

(2) make a production decision concerning survivability enhancements.

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15. AN AMENDMENT OFFERED BY REPRESENTATIVE GEJDENSON OF CONNECTICUT DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. GEJDENSON OF CONNECTICUT

Page 6, line 2, strike out "$9,153,900,000" and insert in lieu thereof "$10,663,000,000".

Page 6, after line 5, insert the following:

For the Trident submarine program, $1,509,100,000.

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16. AN AMENDMENT OFFERED BY REPRESENTATIVE SPRATT OF SOUTH CAROLINA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. SPRATT

Page 6, line 2, strike out "$9,153,900,000" and insert in lieu thereof "$10,663,000,000".

Page 6, after line 9, insert the following:

For the trident ballistic missile submarine program, $1,509,100,000.

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17. AN AMENDMENT OFFERED BY REPRESENTATIVE AUCOIN OF OREGON DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. AUCOIN OF OREGON

At the end of title I of Division A (page 33, after line 17), add the following new section:

SEC. 128. ADVANCED ANTI-ARMOR WEAPONS.

(a) Of the funds authorized in Section , $48,735,000 is authorized to be appropriated for the Army Advanced Anti-Armor Weapon System Medium (AAWS–M) program, but funds may be obligated for such program only if—

(1) the Secretary of the Army begins a prototype feasibility demonstration of no more than three candidate systems including a true fire and forget, launch and leave candidate;

(2) the planning and evaluation authority for the feasibility demonstration is the Director of Test and Evaluation of the Department of Defense; and

(3) the actual conduct of the feasibility demonstration is carried out jointly by the Army and the Marine Corps.

(b) Notwithstanding any other provision of law, prior to initiation of full-scale engineering development of the winning AAWS–M candidate, the Secretary of the Army must certify to the Committees on Armed Services and Appropriations of the Senate and the House of Representatives that the winning system satisfies the Army anti-armor requirement, and the Secretary of the Navy, upon recommendation of the Commandant of the Marine Corps, must certify to the Committees on Armed Services and Appropriations of the Senate and the House of Representatives that the winning system satisfies the Marine Corps anti-armor requirements.

(c) The provisions of the preceding sections may be exercised only if the Army simultaneously commences and conducts a full scale engineering development program for the Fiber Optic Guided Missile (FOG–M) system developed by the Army

Missile Command, Huntsville, Alabama, for anti-armor and air defense variants of FOG-M.

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18. AN AMENDMENT OFFERED BY REPRESENTATIVE GARCIA OF NEW YORK DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. GARCIA OF NEW YORK

At the end of title I of division A (page 33, after line 17) insert the following new section:

SEC. 128. SET-ASIDE FOR ENTERPRISE ZONES.

(a) REQUIREMENT.—Of the total amount appropriated for fiscal year 1987 for procurement by the Department of Defense, not less than 5 percent shall be spent (through prime contracts or subcontracts) in enterprise zones designated or established by the Secretary of Housing and Urban Development pursuant to a law described in subsection (b) enacted after August 1, 1986.

(b) LIMITATION.—Subsection (a) shall not apply if legislation is not enacted during the second session of the 99th Congress providing for the establishment or designation of enterprise zones by the Secretary of Housing and Urban Development.

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19. AN AMENDMENT OFFERED BY REPRESENTATIVE DENNY SMITH OF OREGON DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DENNY SMITH OF OREGON

Page 21, after line 14, insert the following new section:

SEC. 114. UPGRADE OF A-10 WEAPONS DELIVERY SYSTEM.

(A) AUTHORITY FOR UPGRADE PROGRAM.—The Secretary of the Air Force may provide for an upgrade of the weapons delivery system of the A-10 aircraft for all in-service A-10 aircraft.

(b) SPECIFICATIONS.—The upgrade of a weapons delivery system under subsection (a) shall—

(1) include a flight control modification to improve stability during gun firing,
(2) enhance the accuracy of target strafing,
(3) provide for tactical training against moving targets,
(4) provide an accurate lateral toss-capable bombing capability, and
(5) provide for effective self-defense against likely air threats.

(c) LIMITATION.—The Secretary of the Air Force may not carry out any upgrade of the weapons delivery system of the A-10 aircraft that does not incorporate each of the capabilities described in subsection (b).

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20. AN AMENDMENT OFFERED BY REPRESENTATIVE MURPHY OF PENNSYLVANIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. MURPHY OF PENNSYLVANIA

Page 33, after line 17, insert the following:

SEC. 128. DETERMINATION OF LOWEST BIDDER IN PROCUREMENT CONTRACT.

(a) IN GENERAL.—In determining the lowest bidder on any contract for procurement for any military department or defense agency, the Secretary of Defense or the Secretary of the military department concerned (as the case may be) shall, notwithstanding any other provision of law, take into consideration only the amounts bid for the year or years for which the Secretary is obligated, at the time the contract is entered into, to procure anything under the contract.

(b) EFFECTIVE DATE.—Subsection (a) shall apply to contracts entered into in fiscal year 1987 and thereafter.

21. AN AMENDMENT OFFERED BY REPRESENTATIVE WEISS OF NEW YORK DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. WEISS OF NEW YORK

At the end of title I of division A (page 33, after line 17), add the following new section:

SEC. 128. TRIDENT MISSILE PROGRAMS.

(a) PROHIBITIONS ON EXPENDITURES FOR TRIDENT II PROGRAM.—None of the funds appropriated or otherwise made available for procurement of weapons for the Navy for fiscal year 1987 may be obligated or expended for the Trident II missile program.

(b) FUNDS AVAILABLE FOR TRIDENT I PROGRAM.—Of the amount authorized in section 102(b) for weapons (including missiles and torpedoes) for the Navy for fiscal year 1987, $1,429,100,000 is available for the Trident I missile program.

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22. AN AMENDMENT OFFERED BY REPRESENTATIVE WEISS OF NEW YORK DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. WEISS OF NEW YORK

At the end of title I of division A (page 33, after line 17), add the following new section:

SEC. 128. TRIDENT MISSILE PROGRAMS.

(a) PROHIBITIONS ON EXPENDITURES FOR TRIDENT II PROGRAM.—None of the funds appropriated or otherwise made available for procurement of weapons for the Navy for fiscal year 1987 may be obligated or expended for the Trident II missile program.

(b) FUNDS AVAILABLE FOR TRIDENT I PROGRAM.—Of the amount authorized in section 102(b) for weapons (including missiles and torpedoes) for the Navy for fiscal year 1987, $1,424,400,000 is available for the Trident I missile program.

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23. AN AMENDMENT OFFERED BY REPRESENTATIVE COURTER OF NEW JERSEY DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. COURTER OF NEW JERSEY

At the end of title II of division A (page 68, after line 4), insert the following new section:

SEC. 215. RECONFIGURATION OF STRATEGIC DEFENSE INITIATIVE PROGRAM.

(a) RECONFIGURATION OF SDI PROGRAM.—The Secretary of Defense shall, consistent with the provisions of the Anti-Ballistic Missile Treaty of 1972—

(1) reconfigure the Strategic Defense Initiative program; and

(2) initiate the development, testing, and deployment of systems for the defense of the United States against attack by strategic ballistic missiles.

(b) REQUIREMENTS.—To the maximum extent practicable, the reconfiguration required by subsection (a)(1) shall enable systems developed under the Strategic Defense Initiative program—

(1) to survive against determined defense suppression attacks;

(2) to provide the most effective protection for the largest possible area;

(3) to be cost-effective when deployed against the most effective or most probable countermeasures; and

(4) to be compatible with future systems for defense against strategic and tactical ballistic missiles, including systems designed to defeat ballistic missile threats during the boost phase, post-boost phase, midcourse phase, or terminal phase of their flight trajectory.

24. AN AMENDMENT OFFERED BY REPRESENTATIVE COURTER OF NEW JERSEY DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. COURTER OF NEW JERSEY

Page 42, after line 16, insert the following new subsection:

(d) BOOST SURVEILLANCE AND TRACKING SYSTEM.—Of amounts appropriated to the Defense Agencies other than the Strategic Defense Organization pursuant to authorizations in section 201, $100,000,000 is available only for the Boost Surveillance and Tracking System (BSTS) program.

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25. AN AMENDMENT OFFERED BY REPRESENTATIVE MAVROULES OF MASSACHUSETTS DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. MAVROULES OF MASSACHUSETTS

At the end of title II of division A (page 68, after line 4), add the following:

SEC. 215. LIMITATION ON ESTABLISHMENT OF A FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER FOR THE STRATEGIC DEFENSE INITIATIVE PROGRAM.

(a) LIMITATION.—The Secretary of Defense may not obligate or expend any funds for the purpose of operating a Federally funded research and development center that is established for the support of the Strategic Defense Initiative Program after the date of the enactment of this Act unless—

(1) the Secretary submits to the Committees on Armed Services of the Senate and House of Representatives a report with respect to such proposed center that provides the information described in subsection (b); and

(2) funds are specifically authorized to be appropriated for such purpose after the date of the enactment of this Act in an Act other than—

(A) an appropriations Act; or

(B) a continuing resolution.

(b) CONTENT OF REPORT.—A report submitted under subsection (a)(1) with respect to a proposed center shall include a discussion of—

(1) the ability of existing Federally funded research and development centers, Federal research laboratories, and private contractors to perform the objectives of technological integration and evaluation required by the Strategic Defense Initiative Organization;

(2) the comparative cost of having the proposed work performed by—

(A) the Strategic Defense Initiative Organization;

(B) Federally funded research and development centers in existence on the date of the enactment of this Act;

(C) by Federal research laboratories;

(D) by private contractors; or

(E) by such center;

(3) whether such center is intended to be—

(A) primarily a study and analysis center; or

(B) primarily a system engineering/system integration center;

(4) whether such center will be required or authorized to enter into contracts under which research projects would be performed by other Federally funded research and development centers, Federal research laboratories, or private contractors;

(5) whether the contract to operate such center will be awarded on a competitive basis;

(6) whether proposals with respect to the operation of such center—

(A) will be considered by the appropriate Defense Agency; and

(B) will be subjected to review by persons to be selected by the National Academy of Sciences;

(7) whether such center will be designed to prevent even the possibility of an appearance of a conflict of interest—

(A) by prohibiting any officer, employee, or member of the governing body of such center from holding any position with—

(i) the Strategic Defense Initiative Organization; or

(ii) a private contractor that has a substantial interest in the development of the Strategic Defense Initiative; and

(B) by prohibiting more than one-half of the members of the governing body of the proposed Federally Funded Research Center from simultaneously holding any position with the Strategic Defense Initiative Advisory Committee or any similar body which provides technological, scientific, or strategic advice to the Department of Defense about the Strategic Defense Initiative;

(8) whether other actions will be taken to avoid possible conflict of interest situations within such center;

(10) the role of the Department of Defense in

(A) the selection of the staff of such center; and

(B) the internal organization of such center; and

(11) whether a prescribed minimum percentage of the annual budget of such center will be set aside for research to be conducted independently of the Department of Defense.

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26. AN AMENDMENT OFFERED BY REPRESENTATIVE HUNTER OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, TITLE II, OFFERED BY MR. HUNTER

On page 40, Line 20, Section 205, strike lines 20 through 25 and substitute the following in lieu thereof:

(a) ADVANCED CRUISE MISSILE.—Of the funds authorized in Section 201 for the Air Force, $148 million is available only for research, development, test, and evaluation of the Advanced Cruise Missile program.

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27. AN AMENDMENT OFFERED BY REPRESENTATIVE McCURDY OF OKLAHOMA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. McCURDY

Page 34, line 2, strike out "$9,097,089,000" and insert in lieu thereof "$9,267,089,000".

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28. AN AMENDMENT OFFERED BY REPRESENTATIVE DYSON OF MARYLAND DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DYSON OF MARYLAND

Page 68, after line 4, insert the following new section:

SEC. 215. LIMITATION ON CERTAIN TESTING.

None of the funds appropriated or otherwise made available to the Department of Defense or the Department of the Navy for fiscal year 1987 and any fiscal year thereafter may be used for the purpose of creating an electromagnetic pulse in the Chesapeake Bay, Maryland, in connection with the electromagnetic pulse radiation environment simulator program for ships.

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29. AN AMENDMENT BY REPRESENTATIVE BROOMFIELD OF MICHIGAN DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. BROOMFIELD OF MICHIGAN

Page 34, line 3, strike out "$14,129,058,000" and insert in lieu thereof "$14,132,058,000".

Page 41, after line 18, add the following:

(e) TECHNICAL ON-SITE INSPECTION.—Of the amount authorized in section 201 of the Air Force, not less than $9,850,000 shall be available for technical on-site inspection.

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30. AN AMENDMENT OFFERED BY REPRESENTATIVE HAMILTON OF INDIANA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428 OFFERED BY MR. HAMILTON

At an appropriate place, add the following new section:

SEC. . In addition to the amounts authorized to be appropriated for Fiscal Year 1987 by this Act, there is authorized to be appropriated the sum of $90,000,000, which shall be available to the Director of Central Intelligence for collection, processing and analysis of intelligence, counterintelligence, counternarcotics and counterterrorism programs and activities within the National Foreign Intelligence Program, as the Director may determine.

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31. AN AMENDMENT OFFERED BY REPRESENTATIVE AUCOIN OF OREGON DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. AUCOIN OF OREGON

At an appropriate place, add the following new section:

SDI BUY-AMERICAN

SEC. . Notwithstanding any other provision of law, no funds authorized to appropriated for the Strategic Defense initiative by this or any other Act shall be used to enter into any contract in excess of $100,000 with any foreign government or foreign contractor.

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32. AN AMENDMENT OFFERED BY REPRESENTATIVE CARR OF MICHIGAN DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT BY MR. CARR

Title 2 Division A add a new section:

SEC. 215. PURPOSE.

(1) It is the purpose of this Act to strengthen coordination among Department of Defense research facilities and other organizations in the Department of Defense.

FINDINGS

(2) The Congress finds that centralized coordination of the collection and dissemination of technological data among research facilities and other organizations within the Department of Defense is necessary (1) to ensure that personnel of the Department are currently informed about emerging technology for defense systems, and (2) to avoid unnecessary and costly duplication of research staffs and projects.

DEFINITIONS

(3) For purposes of this Act:

(A) The term "Defense research facility" means any Department of Defense facility which performs or contracts for the performance of (A) basic research, or (B) applied research known as exploratory development.

(B) The term "milestone 0 decision" means a decision made within the Department of Defense that there is a mission need for a new major weapon system and that research and development is to begin to meet such need.

(C) The term "milestone I decision" means a selection by an appropriate official of the Department of Defense of a new major weapon system concept and a program for demonstration and validation of such concept.

(D) The term "milestone II decision" means approval by an appropriate official within the Department of Defense for the full-scale development of a new major weapon system.

COORDINATION OF DEPARTMENT OF DEFENSE TECHNOLOGICAL DATA

(4) The Secretary of Defense shall—

(A) promote, monitor, and evaluate programs for the communication and exchange of technological data—

(B) among the Defense research facilities, combat forces, and other organizations that are involved in developing for the Department of Defense the technological requirements for new items for use by combat forces; and

(1) among Defense research facilities and other offices, agencies, and bureaus in the Department that are engaged in related technological matters; and

(2) ensure, to the maximum extent practicable—

(C) that Defense research facilities are assigned broad mission requirements rather then specific hardware needs;

(D) that appropriate personnel of such facilities are assigned to serve as consultants on component and support system standardization;

(E) that the managers of such facilities have broad latitude to choose research and development projects;

(F) that technology position papers prepared by Defense research facilities are readily available to all military commands and to contractors who submit bids or proposals for Department of Defense contracts; and

(G) that, in order to promote increased consideration of technological issues early in the development process, any position papers prepared by Defense research facilities on technological issues relating to a major weapon system and any technological assessments made by such facilities in the case of such component are made a part of the records considered for the purpose of making milestone 0, I, and II decisions.

REPORT

(5) The Secretary of Defense shall submit to the Congress, within one year after the date of the enactment of this Act, a written report containing a description of (1) the actions taken by the Secretary for the purpose of implementing this Act, and (2) any other action taken by the Secretary for the purpose of improving the management and utilization of Defense research facilities.

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33. AN AMENDMENT OFFERED BY REPRESENTATIVE DORNAN OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DORNAN OF CALIFORNIA

Page 40, after line 18, add the following new subsection:

(k) SYNTHETIC APARATURE RADAR TECHNOLOGY.—Of the funds authorized in section 201 for the Navy, not less than $8,000,000 shall be used for the development of displaced phase centre Synthetic Aparature Radar (SAR) technology for the future incorporation of such a sensor aboard Navy Remote Ocean Surveillance System (NROSS) satellites.

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34. AN AMENDMENT OFFERED BY REPRESENTATIVE DORNAN OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DORNAN OF CALIFORNIA

Page 43, after line 6, insert the following:

(c) ADMINISTRATION OF PROGRAM.—The Secretary of Defense shall provide that the Conventional Defense Initiatives program shall be administered through the Strategic Defense Initiative Organization of the Department of Defense.

(d) REPORT.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on how funds made available for the Conventional Defense Initiatives program have been spent and are planned to be spent.

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35. AN AMENDMENT OFFERED BY REPRESENTATIVE COURTER OF NEW JERSEY DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. COURTER OF NEW JERSEY

Page 81, after line 17, insert the following new subsection (and redesignate the succeeding subsections accordingly):

(b) WAIVER AUTHORITY.—(1) The Secretary of Defense may waive subsection (a) in a particular circumstance if the Secretary determines that implementation of such subsection in the circumstance involved would endanger United States Armed Forces by causing a failure of necessary supply of petroleum products.

(2) If the Secretary makes such a determination, the Secretary shall notify Congress of such determination, and the reasons for such determination, not later than 30 days after the date of any purchase of petroleum products authorized by such waiver.

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36. AN AMENDMENT OFFERED BY REPRESENTATIVE SCHROEDER OF COLORADO DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MRS. SCHROEDER OF COLORADO

At the end of title III of division A (page 85, after line 12), add the following new section:

SEC. 314. ALLIES CONTRIBUTION TO COMMON DEFENSE.

(a) FINDINGS—The Congress makes the following findings:

(1) The military strength of the United States exists to protect the national security of the United States, preserve the liberties of the American people, and maintain peace throughout the world.

(2) To achieve these goals, the United States has maintained large contingents of active-duty military personnel on the territory of allies in Europe and Japan.

(3) Since the signing of the North Atlantic Treaty on April 4, 1949, and the Mutual Cooperation and Security Treaty between Japan and the United States of January 19, 1960, the economic strength of Japan, Canada, and most Western European nations has grown substantially, both in absolute terms and in comparison with the economic growth in the United States.

(4) Japan, Canada, and the allies of the United States in Western Europe are in substantially better condition, both economically and militarily, than they were when large contingents of United States active-duty military personnel were first deployed on the territory of those countries.

(5) The means and capacity of those allies of the United States to provide forces to resist aggression, particularly aggression aimed at their own territory or surrounding lines of air and sea communication, has significantly improved since the original United States deployment.

(6) The burdens of mutual defense now assumed by many countries allied with the United States under the agreements referred to in paragraph (3) are not commensurate with their economic resources, forcing the United States to bear a disproportionately large financial burden to meet mutual defense needs.

(7) Since May 1978, when each member nation of the North Atlantic Treaty Organization (NATO) agreed to increase defense spending annually in the range of 3 percent above inflation, no NATO member, except for the United States, has consistently met the 3 percent real growth commitment.

(8) Since May 1981, when the Government of Japan established its policy to defend the air and sea lines of communication out to 1,000 nautical miles from the coast of Japan, progress of the Government of Japan to develop the necessary self-defense capabilities to fulfill that pledge has been slight.

(9) Japan is the ally of the United States with the greatest potential for improving its self-defense capabilities and should, therefore, rapidly increase its annual defense spending to the levels required to fulfill its pledge referred to in paragraph (8) and to enable Japan to be capable by 1990 of an effective conventional self-defense capability (including the capability to carry out its 1,000-mile defense policy), a development that would be consonant not only with Japan's current prominent position in the family of nations but also with its unique sensibilities on the issues of war and peace, sensibilities that are recognized and respected by the people of the United States.

(10) Maintaining large contingents of United States military personnel and their dependents on the territory of allies costs the United States tens of billions of dollars each year.

(11) The volatility of the American dollar has made living costs for lower paid United States military personnel abroad unpredictable and, at times, exorbitant.

(12) The deployment of large contingents of United States military personnel on the territory of allies of the United States detracts from the ability of the United States to react to crises elsewhere in the world.

(13) The level of Federal spending must be reduced in order to balance the Federal budget and revitalize the economy.

(14) The continued unwillingness of the allies of the United States to increase their contributions to the common defense to more appropriate levels will endanger the vitality, effectiveness, and cohesion of the alliances between those countries and the United States.

(15) The United States should pursue a new division of labor with its allies whereby the allies provide for the conventional defense of their own territory and of the sea and air lines of communications surrounding their territory while the United States continues to provide strategic and common defense needs.

(b) CONGRESSIONAL DECLARATION CONCERNING TROOP LEVELS ABROAD.—In consideration of the findings in subsection (a), the Congress declares that the United States should begin to reduce its troop levels abroad.

(c) LIMITATIONS ON TROOP LEVELS ABROAD.—

(1) EUROPE.—Funds appropriated to the Department of Defense after the date of the enactment of this Act may not be used to support an end strength level of members of the Armed Forces of the United States assigned to permanent duty ashore in European member nations of the North Atlantic Treaty Organization at a level exceeding—

(A) after September 30, 1987, 300,000;
(B) after September 30, 1988, 265,000;
(C) after September 30, 1989, 230,000;
(D) after September 30, 1990, 195,000; and
(E) after September 30, 1991, 165,000.

(2) OTHER AREAS.—Funds appropriated to the Department of Defense after the date of the enactment of this Act may not be used to support an end strength level of members of the Armed Forces of the United States assigned to permanent duty ashore in nations other than European member nations of NATO at a level exceeding—

(A) after September 30, 1987, 127,000;
(B) after September 30, 1988, 117,000;
(C) after September 30, 1989, 107,000;
(D) after September 30, 1990, 97,000; and
(E) after September 30, 1991, 87,000.

(3) AUTHORIZATION OF END STRENGTHS.—The total authorized strengths for active-duty personnel of the Army, Navy, Air Force, and Marine Corps as of September 30 of each fiscal year covered by paragraphs (1) and (2) shall be reduced by an amount equal to one-half of the number by which the total end strength of those services assigned to permanent duty ashore in nations outside the United States has been reduced as of such date in compliance with such paragraphs.

(4) WAR POWERS EXCEPTION.—Paragraphs (1) and (2) do not apply during any period with respect to which the President has submitted a report pursuant to section 4 of the War Powers Resolution (50 U.S.C. 1534).

37. AN AMENDMENT OFFERED BY REPRESENTATIVE LEATH OF TEXAS DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. LEATH OF TEXAS

At the end of title III of division A (page 85, after line 12), add the following new section:

SEC. 314. PROHIBITION ON JOINT USE OF GRAY ARMY AIRFIELD WITH CIVIL AVIATION.

The Secretary of the Army may not enter into an agreement to allow joint use of the Robert Gray Army Airfield at Fort Hood, Texas, with civil aviation.

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38. AN AMENDMENT OFFERED BY REPRESENTATIVE ROBINSON OF ARKANSAS DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. ROBINSON OF ARKANSAS

Page 77, strike out lines 1 through 25 and insert in lieu thereof the following:

"§2488. Sale of alcoholic beverages on military installations

"(a) The Secretary of Defense shall provide that alcoholic beverages procured by the Department of Defense (including its nonappropriated fund instrumentalities) with appropriated or nonappropriated funds for resale on a military installation located in a State shall be procured in the State in which the installation is located. If a military installation is located in more than one State, procurement of alcoholic beverages may be made in any State in which the installation is located.

"(b) In this section, the term 'State' means each of the several States and the District of Columbia.".

Page 78, after line 11 insert the following new subsection (and redesignate the succeeding subsection accordingly):

(d) CONFORMING AMENDMENT.—Section 6 of the 1951 Amendments to the Universal Military Training Service Act (50 U.S.C. App. 473) is amended by striking out "section 2683(c)" and inserting in lieu thereof "sections 2683(c) and 2488".

Page 78, in the matter following line 14 strike out the item relating to section 2488 and insert in lieu thereof the following:

"2488. Sale of alcoholic beverages on military installations.".

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39. AN AMENDMENT OFFERED BY REPRESENTATIVE PANETTA OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. PANETTA OF CALIFORNIA

At the end of title III of division A (page 85, after line 12), add the following new section:

SEC. 314. PREFERENCE FOR UNITED STATES AGRICULTURAL PRODUCTS IN COMMISSARY FOOD PURCHASES.

(a) PREFERENCE REQUIREMENT.—The Secretary of Defense shall require that, when acquiring food products through the use of competitive procedures for resale through commissary stores located in the United States, the Department of Defense gives preference to United States companies that use United States agricultural commodities in the products sold to the Department of Defense.

(b) GUIDELINES.—The Secretary shall develop guidelines to implement the preference required by subsection (a). Such guidelines shall be developed and implemented not later than 60 days after the date of enactment of this Act. The Secretary shall transmit a copy of the guidelines to the Committees on Armed Services of the Senate and House of Representatives as soon as they are developed.

(c) REPORT.—The Secretary shall, not later than 120 days after the date of the enactment of this Act, submit to the Committees on Armed Services of the Senate and House of Representatives a report on the implementation of this section.

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40. AN AMENDMENT OFFERED BY REPRESENTATIVE McCOLLUM OF FLORIDA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. McCOLLUM OF FLORIDA

Page 83, strike out line 18 and all that follows through page 84, line 5 (and redesignate the succeeding subsection accordingly).

Page 84, line 7, insert "(1)" before "Section".

Page 84, after line 17, add the following new paragraph:

(2) There is hereby authorized to be appropriated to the Secretary of Defense for fiscal year 1987 the sum of $3,000,000 to carry out section 2547 of title 10, United States Code.

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41. AN AMENDMENT OFFERED BY REPRESENTATIVE KAPTUR OF OHIO DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MS. KAPTUR OF OHIO

At the end of title III of division A (page 85, after line 12), add the following new section:

SEC. 314. TRANSPORTATION OF CARGO THROUGH GREAT LAKES PORTS.

Of the funds appropriated for fiscal year 1987 for operation and maintenance of the Department of Defense, not less than $10,000,000 shall be spent for the transportation of cargo by ocean common carrier via Great Lakes ports and the St. Lawrence Seaway in vessels documented under the laws of the United States.

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42. AN AMENDMENT OFFERED BY REPRESENTATIVE BENNETT OF FLORIDA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. BENNETT OF FLORIDA

Page 104, after line 15, insert the following:

SEC. 603. REPORT ON VARIABLE HOUSING ALLOWANCE RECAPTURE PROVISION.

Not later than February 1, 1987, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the impact of the variable housing allowance recapture provision enacted in the Department of Defense Authorization Act, 1986 (Public Law 99-145). The report shall address—

(1) the cost of administering the variable housing program;

(2) the total cost of the variable housing program; and

(3) levels of regular military compensation (as defined in section 101 of title 37, United States Code) among members of the armed forces in the same pay grade and localty.

43. AN AMENDMENT OFFERED BY REPRESENTATIVE MONTGOMERY OF MISSISSIPPI DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. MONTGOMERY OF MISSISSIPPI

Page 87, line 12, strike out "25,231" and insert in lieu thereof "25,731".

Page 87, line 14, strike out "20,510" and insert in lieu thereof "21,476".

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44. AN AMENDMENT OFFERED BY REPRESENTATIVE MONTGOMERY OF MISSISSIPPI DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. MONTGOMERY OF MISSISSIPPI

Page 86, line 4, strike out "459,310" and insert in lieu thereof "456,596".

Page 86, line 6, strike out "153,013" and insert in lieu thereof "152,994".

Page 87, line 12, strike out "25,231" and insert in lieu thereof "25,731".

Page 87, line 14, strike out "20,510" and insert in lieu thereof "21,476".

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45. AN AMENDMENT OFFERED BY REPRESENTATIVE MONTGOMERY OF MISSISSIPPI DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. MONTGOMERY OF MISSISSIPPI

At the end of title V of division A (page 103, after line 6), add the following new section:

SEC. . ACTIVE DUTY OF NATIONAL GUARD.

(a) GOVERNOR CONSENT FOR ACTIVE DUTY OF NATIONAL GUARD MEMBERS.—Section 501 of title 32, United States Code, is amended by adding at the end the following new subsection:

"(c) With regard to active duty outside the United States, its territories, and its possessions, the consent of the Governor described in sections 672(b) and 672(d) of title 10 may not be withheld in whole or in part because of any objection to the location, purpose, type, or schedule of such active duty.".

(b) CONFORMING AMENDMENT.—Section 672 of title 10, United States Code, is amended—

(1) by inserting "except as provided by section 501(c) of title 32" after "as the case may be" in subsection (b); and

(2) by inserting "except as provided by section 501(c) of title 32" after "whichever is concerned" in subsection (d).

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46. AN AMENDMENT OFFERED BY REPRESENTATIVE SCHROEDER OF COLORADO OR REPRESENTATIVE STARK OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MRS. SCHROEDER OF COLORADO

At the end of title V of division A (page 103, after line 7), insert the following new section:

SEC. 513. TREATMENT OF SINGLE PARENTS ENLISTING IN RESERVE COMPONENTS OF THE ARMED FORCES.

(a) IN GENERAL.—(1) Section 510 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(e)(1) In determining whether a person is qualified for enlistment as a Reserve of an armed force, the Secretary concerned may not disqualify the person because the person is a single parent.

"(2) The Secretary concerned shall provide that treatment of a single parent applying to enlist as a Reserve shall be equivalent with respect to parenthood to the treatment of a member enlisted as a Reserve who becomes a single parent during the term of the member's enlistment. Such equivalent treatment may include a requirement for a written agreement with respect to child care.

"(3) In this subsection, the term 'single parent' means a person who is not married and who has custody of a child under the age of 18 pursuant to a court order.".

(b) EFFECTIVE DATE.—Section 510(e) of title 10, United States Code, as added by subsection (a), shall take effect on the date of the enactment of this Act.

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47. AN AMENDMENT OFFERED BY REPRESENTATIVE BORSKI OF PENNSYLVANIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. BORSKI OF PENNSYLVANIA

Page 93, after line 13, add the following new section:

SEC. 507. STUDY OF REPRESENTATION OF RELIGIOUS FAITHS IN THE ARMED FORCES.

(a) FINDINGS.—The Congress finds that an imbalance exists in the representation of various religious faiths among chaplains of the Armed Forces compared to the representation of those faiths among members of the Armed Forces as a whole. While recognizing that much of this faith imbalance may be attributable to an overall shortage of clergy in the United States among religious faiths that are underrepresented among military chaplains, Congress finds that the Department of Defense has not taken sufficient steps to alleviate the existing faith imbalance.

(b) STUDY.—The Secretary of Defense shall carry out a complete study of the causes and conditions of the existing faith imbalances in the Armed Forces. The study shall include the following:

(1) A list of all religious denominations represented in the Armed Forces and the goals set by the Secretary or the Secretary concerned for the number of chaplains to serve each such religious denomination; a comparison of such goals and the actual number of chaplains for each such religious denomination for fiscal year 1987; an analysis of how such goals and the acutal number of chaplains compares to the demographic representation of religious denominations in the United States at the time of the study; and recommendations on how the number of chaplains in the Armed Forces in the future can better reflect current and future demographic representation of religious denominations in the United States.

(2) An analysis of all policies, procedures of operation, and standards affecting personnel requirements of all branches of the Corps of Chaplains, and an analysis of all means to alleviate existing faith imbalances, including the use of grade retentions, continuation boards, and standby tours of duty for reserve chaplains from underrepresented faiths.

(3) A roster of chaplains for all branches and, for the purpose of establishing the number of clergy on duty and ready for mobilization, personnel data for all active duty chaplains, reserve duty chaplains, inactive reserve duty chaplains, and contract clergy.

(4) An analysis and comparison of retentions in grade and age waivers as in effect for physicians in the Armed Forces and clergy in the Armed Forces. The analysis shall include an examination of the rationale and purpose of such policies as they apply to physicians versus as they apply to clergy in the Armed Forces.

(5) The names, faiths, salaries, and places of work for all contract clergy for all branches of the Armed Forces.

(c) REPORT TO CONGRESS.—Not later than 4 months after the date of the enactment of this Act, the Secretary shall submit a report on the findings of the study conducted under subsection (b) to the Committees on Armed Services of the Senate and the House of Representatives. The report shall address the effects of personnel

policies, releases, and retentions in grade on existing faith imbalances in the Corps of Chaplains and shall include recommendations on how to alleviate the existing faith imbalances.

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48. AN AMENDMENT OFFERED BY REPRESENTATIVE BORSKI OF PENNSYLVANIA DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. BORSKI OF PENNSYLVANIA

Page 93, after line 13, add the following new section:

SEC. 507. INCREASE IN REPRESENTATION OF RELIGIOUS FAITHS IN THE ARMED FORCES.

(a) FINDINGS.—The Congress finds that an imbalance exists in the representation of various religious faiths among chaplains of the Armed Forces compared to the representation of those faiths among members of the Armed Forces as a whole. While recognizing that much of this faith imbalance may be attributable to an overall shortage of clergy in the United States among religious faiths that are underrepresented among military chaplains, Congress finds that the Department of Defense has not taken sufficient steps to alleviate the existing faith imbalance.

(b) INCREASE IN REPRESENTATION REQUIRED.—The Secretary of Defense shall implement actions to increase the representation within the Army and Navy Chaplain Corps and among officers of the Air Force designated as chaplains of clergy from faiths which are presently underrepresented as a proportion of the membership of those faiths among the Armed Forces. Actions taken under this subsection shall include the following:

(1) Request appropriate leaders of underrepresented faiths to make available to the Armed Forces more clergy in order to meet the needs of members of the Armed Forces of those faiths.

(2) Accept clergy members of underrepresented faiths for appointment in the Armed forces as they become available without regard to otherwise applicable numerical limitations.

(3) Consider ordering to active duty reserve members of the Armed Forces who voluntarily apply for active duty service as chaplains in order to help alleviate faith imbalances.

(c) PROTECTIONS FOR CLERGY IN THE ARMED FORCES.—The Secretary shall also implement actions to—

(1) place chaplains in the Armed Forces on the same level of involuntary releasing protection that exists for physicians in the Armed Forces; and

(2) give chaplains in the Armed Forces the same age waivers as physicians in the Armed Forces to afford the chaplains the same rights and protections from mandatory retirement, involuntary release, and retention in grade.

(d) REPORT TO CONGRESS.—The Secretary shall report any change in military chaplain policy to the Committees on Armed Services of the House of Representatives and of the Senate for review.

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49. AN AMENDMENT OFFERED BY REPRESENTATIVE ROBINSON OF ARKANSAS DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428 OFFERED BY MR. ROBINSON

At the appropriate place in title V (personnel policy) insert the following new section:

SEC. . EXTENSION OF MANDATORY RETIREMENT AGE FOR MEDICAL OFFICERS.

(a) GENERAL RULE.—Section 1251 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(c) Unless retired or separated earlier, each regular officer of the Army, Navy, or Air Force who is a medical officer shall be retired on the first day of the month following the month in which the officer becomes 67 years of age.".

(b) CONFORMING AMENDMENTS.—

(1) Section 1251(a) of such title is amended by inserting "a medical officer or" after "other than".

(2)(A) Chapter 36 of such title is amended by inserting after section 636 the following new section:

"§ 636a. Exception to mandatory retirement for medical officers

"Sections 633, 634, 635, and 636 of this title do not apply to medical officers.".

(B) The table of sections at the beginning of subchapter III of such chapter is amended by adding at the end the following new item:

"636a. Exception to mandatory retirement for medical officers.".

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50. AN AMENDMENT OFFERED BY REPRESENTATIVE SCHROEDER OF COLORADO DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MRS. SCHROEDER OF COLORADO

Page 110, after line 8, insert the following new section:

SEC. 616. COORDINATION OF PERMANENT CHANGE OF STATION MOVES WITH SCHOOL YEAR.

The Secretary of each military department shall establish procedures to ensure that, to the maximum extent practicable, permanent change of station moves for members of the Armed Forces under the jurisdiction of the Secretary who have dependents in elementary or secondary school occur between normal school years.

Page 118, line 2, strike out "$2,209,060,000" and insert in lieu thereof "$2,533,760,000".

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51. AN AMENDMENT OFFERED BY REPRESENTATIVE SCHROEDER OF COLORADO, DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MRS. SCHROEDER

Page 110, after line 8, add the following new section:

SEC. 616. TRANSPORTATION FOR DEPENDENTS AND HOUSEHOLD EFFECTS OF CERTAIN MEMBERS.

(a) TRANSPORTATION OF DEPENDENTS.—Paragraph (2)(A) of section 406(a) of title 37, United States Code, is amended to read as follows:

"(2)(A) Except as provided in subparagraph (B) of this paragraph, a member who—

"(i) is separated from the service or released from active duty; and

"(ii) on the date of his separation from the service or release from active duty, has not served on active duty for a period of time equal to at least 90 percent of the period of time for which he initially enlisted or otherwise initially agreed to serve,

may be provided transportation under this subsection for his dependents only by transportation in kind by the least expensive mode of transportation available or by a monetary allowance that does not exceed the cost to the Government of such transportation in kind.".

(b) Transportation of Household Effects.—(1) The first sentence of section 406(h) of title 37, United States Code, is amended to read as follows: "(1) If the Secretary concerned determines that it is in the best interests of a member described in paragraph (2) or his dependents and the United States, he may, when orders directing a change of permanent station for the member concerned have not been issued, or when they have been issued, but cannot be used as authority for the transportation of his dependents, baggage, and household effects—

"(A) authorize the movement of the member's dependents, baggage, and household effects at the station to an appropriate location in the United States or its possessions or the country of the dependents' origin, in the event the dependents are foreign nationals, and prescribe transportation in kind, reimbursement therefor, or a monetary allowance in place thereof (as the case may be), plus a per diem, as authorized under subsection (a) (or (b) of this section; and

"(B) in the case of a member described in paragraph (2)(A), authorize the transportation of one motor vehicle owned by the member or for his or her dependents' personal use to that location by means of transportation authorized under section 2634 of title 10.".

(2) Section 406(h) of such title is further amended by adding at the end the following new paragraph:

"(2) A member referred to in paragraph (1) is a member who—

"(A) is serving at a station outside the United States or Hawaii or Alaska;

"(B) receives an administrative discharge under other than honorable conditions; or

"(C) is sentenced by a court-martial to be confined for a period of more than 30 days, to receive a dishonorable or bad-conduct discharge, or to be dismissed from a uniformed service, if the sentence is approved under section 860(c)(2) of title 10.".

Paragraph 107, strike out lines 15 through 17 (and redesignate paragraph (5) as paragraph (4)).

At the end of title X of division A (page 239, after line 5), add the following new section:

SEC. 1033. HEALTH CARE FOR CERTAIN ABUSED DEPENDENTS.

(a) CARE IN MILITARY TREATMENT FACILITIES.—Section 1076 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(e)(1) Subject to paragraph (3); if—

"(A) a member of a uniformed service receives a dishonorable or bad-conduct discharge or is dismissed from a uniformed service as a result of a court-martial conviction for an offense involving abuse of a dependent of the member, as determined in accordance with regulations prescribed by the administering Secretary for such uniformed service; and

"(B) the abused dependent needs medical or dental care for an injury or illness resulting from the abuse,

the administering Secretary may, upon request of the abused dependent, furnish medical or dental care to the dependent for the treatment of such injury or illness in facilities of the uniformed services.

"(2) Subject to paragraph (3), upon request of any dependent of a member of a uniformed service punished for an abuse as described in paragraph (1)(A), the administering Secretary for such uniformed service may furnish medical care in facilities of the uniformed services to the dependent for the treatment of any adverse health condition resulting from such dependent's knowledge of (A) the abuse, or (B) any injury or illness suffered by the abused person as a result of such abuse.

"(3) medical and dental care furnished to a dependent of a member of the uniformed services in facilities of the uniformed services under paragraph (1) or (2)—

"(A) shall be limited to the health care prescribed by section 1077 of this title;

"(B) shall be subject to the availability of space and facilities and the capabilities of the medical and dental staff; and

"(C) shall terminate 1 year after the date on which the member is discharged or dismissed from a uniformed service as described in paragraph (1)(A).".

(b) CHAMPUS.—(1) Section 1079 of such title is amended by adding at the end of the following new subsection:

"(h)(1) Contracts entered into under subsection (a) shall also provide for medical care for dependents of former members of the uniformed services who are authorized to receive medical and dental care under section 1076(e) of this title in facilities of the uniformed services.

"(2) Except as provided in paragraph (3), medical care in the case of a dependent described in sectiion 1076(e) shall be furnished under the same conditions and subject to the same limitations as medical care furnished under this section to spouses and children of members of the uniformed services described in the first sentence of subsection (a).

"(3) Medical care may be furnished to a dependent pursuant to paragraph (1) only for an injury, illness, or other condition decribed in section 1076(e) of this title.".

(2) The amendment made by paragraph (1) shall apply to contracts entered into under section 1079(a) of title 10, United States Code, on or after the date of the enactment of this Act.

52. AN AMENDMENT OFFERED BY REPRESENTATIVE PANETTA OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. PANETTA OF CALIFORNIA

Page 104, after line 15, insert the following new section:

SEC. 603. SPECIAL PAY FOR MEMBERS OF THE ARMED FORCES WHO ARE PROFICIENT IN A FOREIGN LANGUAGE.

(a) IN GENERAL.—(1) Chapter 5 of title 37, United States Code, is amended by adding at the end the following new section:

"§ 316. Special pay: foreign language proficiency pay

"(a) A member of the armed forces who meets the criteria described in subsection (b) may be paid special pay, in addition to any other pay or allowance to which the member is entitled, in the amount set forth in subsection (c).

"(b)(1) A member of the armed forces qualifies for special pay under this section if the member—

"(A) is entitled to basic pay;

"(B) has been certified by the Secretary concerned within the past 12 months to be proficient in a foreign language identified by the Secretary of Defense as necessary for the national defense; and

"(C) fulfills at least one of the criteria described in paragraph (2).

"(2) The criteria referred to in paragraph (1)(C) are as follows:

"(A) The member is qualified in a military specialty requiring the foreign language proficiency.

"(B) The member received training, under regulations prescribed by the Secretary concerned, designed to develop such proficiency.

"(C) The member is assigned to military duties requiring such proficiency.

"(D) The member is proficient in a foreign language for which an armed force under the jurisdiction of the Secretary concerned may have a critical need.

"(c) The monthly rate for special pay under subsection (a) may not exceed $100.

"(d)(1) Under regulations prescribed by the Secretary concerned and to the extent provided for in appropriations Acts, when a member of a reserve component of the armed forces, or of the National Guard, who is entitled to compensation under section 206 of this title, fulfills the criteria for special pay as described in subsection (b), except the requirement described in subsection (b)(1)(A), the member may be paid an increase in compensation equal to 1/30th of the monthly special pay authorized by subsection (c) for the performance of that duty by a member who is entitled to basic pay.

"(2) A member eligible for increased compensation under paragraph (1) shall be paid such increase—

"(A) for each regular period of instruction, or period of appropriate duty, at which he is engaged for at least two hours, including instruction received or duty performed on a Sunday or holiday; and

"(B) for each period of performance of such other equivalent training, instruction, duty, or appropriate duties, as the Secretary may prescribe.

"(3) This subsection does not apply to a member who is entitled to basic pay under section 204 of this title.

"(d) This section shall be administered under regulations prescribed by the Secretary of Defense for the armed forces under his jurisdiction and by the Secretary of Transportation for the Coast Guard when the Coast Guard is not operating as a service in the Navy.".

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"316. Special pay; foreign language proficiency pay.".

(b) EFFECTIVE DATE.—Section 316 of title 37, United States Code, as added by subsection (a), shall take effect on October 1, 1986.

(c) LIMITATIONS ON OBLIGATIONS.—Of the funds appropriated or otherwise made available for military personnel during fiscal year 1987, not more than $7,300,000 may be obligated or expended for the payment of the special pay authorized by section 316 of title 37, United States Code, as added by this section.

53. AN AMENDMENT OFFERED BY REPRESENTATIVE BENNETT OF FLORIDA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. BENNETT OF FLORIDA

Page 158, line 14, is amended by adding the following:

PART C—COMMISSION ON MERCHANT MARINE AND DEFENSE MATTERS

SEC. 814. STATUS OF MEMBERS OF COMMISSION ON MERCHANT MARINE AND DEFENSE; EXTENSION OF REPORT DEADLINES AND AVAILABILITY OF APPROPRIATIONS.

(a) STATUS OF COMMISSION MEMBERS.—Subsection (d) of section 1536 of the Department of Defense Authorization Act, 1985 (Public Law 98-525; 98 Stat. 2633), is amended—

(1) by inserting "(1)" after "(d)"; and

(2) by adding at the end the following new paragraph:

"(2) A member of the Commission appointed under subsection (c)(1)(C) (who is not otherwise employed by the Federal Government) shall not be considered to be a Federal employee, except for the purposes of—

"(A) chapter 81 of title 5, United States Code, relating to compensation for work-related injuries; and

"(B) chapter 171 of title 28, United States Code, relating to tort claims.".

(b) EXTENSIONS.—Such section is further amended as follows:

(1) The last sentence of subsection (b) and the first sentence of subsection (g) are each amended by striking out "the date of the enactment of the law first providing funds for the Commission" and inserting in lieu thereof "the date on which sufficient members of the Commission to constitute a quorum have been appointed".

(2) The second sentence of subsection (g) is amended by striking out "of enactment" each place it appears.

(3) The last sentence of subsection (i) is amended by striking out "September 30, 1988" and inserting in lieu therof "36 months after the date on which sufficient members of the Commission to constitute a quorum have been appointed".

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54. AN AMENDMENT OFFERED BY REPRESENTATIVE BENNETT OF FLORIDA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. BENNETT OF FLORIDA

Page 129, line 13, is amended by redesignating subsection (b) as subsection (c) and inserting the following:

(b) PHASED MAINTENANCE PROGRAM.—The Navy is directed to continue the Phased Maintenance Program on Navy Amphibious and Auxiliary Ships as it is presently structured. Planning for those combatant ships that are schedule to enter the Phase Maintenance Program in FY 87 and FY 88 is also to continue as presently structured.

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55. AN AMENDMENT BY REPRESENTATIVE MAVROULES OF MASSACHUSETTS DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. MAVROULES OF MASSACHUSETTS

At the end of part B of title VIII of division A (page 158, after line 13), insert the following new section:

SEC. 814. USE OF PUBLIC HEALTH SERVICE HOSPITALS AS FACILITIES OF THE UNIFORMED SERVICES.

Subsection (e) of section 1252 of the Department of Defense Authorization Act, 1984 (42 U.S.C. 248d(e)), is amended in the first sentence by striking out "December 31, 1987" and inserting in lieu thereof "December 31, 1992".

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56. AN AMENDMENT OFFERED BY REPRESENTATIVE HUTTO OF FLORIDA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. HUTTO OF FLORIDA

At the end of part A in title VIII of division A (page 142, after line 8), add the following new section:

SEC. 807. PROHIBITION ON CONTRACTS FOR PERFORMANCE OF FIREFIGHTING AND SECURITY FUNCTION.

(a) PROHIBITION.—Chapter 159 of title 10, United States Code, is amended by adding at the end the following new section:

"§2693. Prohibition on contracts for performance of firefighting and security function

(a) Except as provided in subsection (b), funds appropriated to the Department of Defense may not be obligated or expended for the purpose of entering into a contract for the performance of firefighting or security-guard functions at any military installation or facility.

(b) The prohibition in subsection (a) does not apply—

(1) to a contract to be carried out at a location outside the United States (including its commonwealths, territories, and possessions) at which military personnel would have to be used for the performance of the function described in subsection (a) at the expense of unit readiness;

(2) to a contract to be carried out on a Government-owned but privately operated installation; or

(3) to a contract (or the renewal of a contract) for the performance of a function under contract on September 24, 1983.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"2693. Prohibition on contracts for performance of firefighting and security function.".

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57. AN AMENDMENT OFFERED BY REPRESENTATIVE McCURDY OF OKLAHOMA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. McCURDY OF OKLAHOMA

At the end of part B of title VIII of division A (page 158, after line 13), insert the following new section:

SEC. 814. LIMITATION ON IMPLEMENTATION OF HEALTH CARE REFORM INITIATIVE.

(a) LIMITATION.—

(1) IN GENERAL.—The Secretary of Defense may not obligate or expend funds appropriated or otherwise made available to the Department of Defense for purposes of implementing the health care reform initiative of the Department of Defense commonly known as Project Imprint until—

(A) the Secretary completes the study required by subsection (b)(1) and submits the report required by subsection (b)(2); and

(B) a period of 30 days of continuous session of Congress elapses after the Secretary submits such report.

(2) COMPUTATION OF TIME PERIOD.—For purposes of this paragraph, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of such 30-day period.

(b) STUDY OF HEALTH CARE ALTERNATIVES.—

(1) IN GENERAL.—The Secretary shall conduct a study of—

(A) methods to guarantee the maintenance of competition among providers of health care to persons under the jurisdiction of the Secretary;

(B) the merits of the use of a voucher system or a fee schedule for provision of health care to such persons; and

(C) methods to guarantee that community hospitals are given equal consideration with other health care providers for provision of health care services under contracts with the Department of Defense.

(2) REPORT.—The Secretary shall submit to Congress a report discussing the matters evaluated in the study required by paragraph (1) before the end of the 60-day period beginning on the date of the enactment of this Act.

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58. AN AMENDMENT OFFERED BY REPRESENTATIVE BATEMAN OF VIRGINIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. BATEMAN

On page 130, line 16, after "Provisions" and before "specifying," "mutually acceptable to the Navy and the contractor".

On page 131, line 5, after "performed" insert "including any waste materials rendered hazardous as a result of the performance of the work required by the contract".

On page 131, after line 5, add the following new subsections:

"(c) IDENTIFICATION NUMBERS.—Each naval vessel, or each Supervisor of Shipbuilding in lieu of each vessel, at or upon which hazardous wastes are produced or from which hazardous wastes are removed, shall obtain an identification number which shall be used on all contracts, manifests, and invoices for the transportation of such wastes for treatment, storage, or disposal in accordance with regulations issued by the Administrator of the Environmental Protection Agency pursuant to the Resource Conservation and Recovery Act of 1978 as amended. For purposes of this provision, the term 'hazardous wastes' shall include all wastes for which the contractor is entitled to reimbursement under subparagraph (a)(2) or (b) of this section.

"(d) REIMBURSMENT.—The contractor shall be reimbursed by the United States for long-term liability, including costs of cleanup or remedial action, any other necessary costs of response, and damages for injury to, destruction of, or loss of natural resources, including the costs of assessing such injury, destruction, or loss, as well as reasonable attorney's fees, resulting from the non-negligent performance of the duties described in paragraph (a)(3). The liability of the United States under this provision is subject to the availability of appropriated funds to cover such liability at the time a contingency occurs.".

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59. AN AMENDMENT OFFERED BY REPRESENTATIVE RAHALL OF WEST VIRGINIA DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. RAHALL OF WEST VIRGINIA

Page 141, strike strike lines 6 through page 142, line 8.

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60. AN AMENDMENT OFFERED BY REPRESENTATIVE DORNAN OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DORNAN OF CALIFORNIA

Page 129, line 12, strike out the quotation marks.

Page 129, after line 12, insert the following (and redesignate the succeeding subsection accordingly):

"(e) The amount of a contract for the overhaul, repair, or maintenance of a naval vessel may not exceed the Secretary of the Navy's estimate of the cost of the con-

tract by more than 10 percent unless the Secretary of Defense determines national security reasons for approving the contract. After such a contract has been entered into, the Secretary of the Navy shall notify the Committees on Armed Services of the Senate and the House of Representatives of any cost overrun of more than 14 percent of the contract and shall wait 30 days before agreeing to continue the contract.".

(b) CONTRACTS FOR ONLY FOUR SHIPS.—During fiscal year 1987, the Secretary of the Navy may not enter into contracts with private shipyards for the overhaul, repair, or maintenance of more than four naval vessels.

6i. AN AMENDMENT OFFERED BY REPRESENTATIVE DORNAN OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DORNAN OF CALIFORNIA

Page 129, line 12, strike out the quotation marks.

Page 129, after line 12, insert the following (and redesignate the succeeding subsection accordingly):

(b) OVERHAUL OF ONLY FOUR SHIPS BY COMPETITION.—Of amounts authorized for the alteration, overhaul, and repair of naval vessels for fiscal year 1987, funds shall be available to acquire the overhaul of not more than four vessels by competition between public and private shipyards.

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62. AN AMENDMENT OFFERED BY REPRESENTATIVE SOLOMON OF NEW YORK DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. SOLOMON OF NEW YORK

At the appropriate place in title VIII of the bill (General Provisions) insert the following new section:

SEC. . PROHIBITION ON CONTRACTS WITH CONTRACTORS THAT EMPLOY PERSONS WHO FAIL TO REGISTER UNDER THE MILITARY SELECTIVE SERVICE ACT.

(a) IN GENERAL.—(1) Chapter 141 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2408. Contracts: employment by contractors of selective service nonregistrants

"(a) The Secretary of Defense, to the extent practicable, shall ensure that funds appropriated or otherwise made available to the Department of Defense are not used to satisfy obligations of the United States under a contract with a contractor or subcontractor during a period during which a selective service nonregistrant is employed by the contractor or subcontractor.

"(b) In this section, the term 'selective service nonregistrant' means a person who—

"(1) was born after December 31, 1959;

"(2) is required to register under section 3(a) of the Military Selective Service Act (50 U.S.C. App. 453(a)); and

"(3) has not so registered.".

"(c) The Secretary may waive the application of this section with respect to a contract when the Secretary determines such a waiver is necessary in the interests of national security."

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"2408. Contracts: employment by contractors of selective service nonregistrants."

(b) EFFECTIVE DATE.—Section 2408 of title 10, United States Code (as added by subsection (a)), shall apply to contracts entered into after the date of the enactment of this Act and only with respect to individuals hired by contractors or subcontractors after such date.

63. AN AMENDMENT OFFERED BY REPRESENTATIVE SMITH OF NEW JERSEY DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. SMITH OF NEW JERSEY

At the end of part B of title VIII of division A (page 158, after line 13), insert the following new section:

SEC. 814. WAIVER OF CHAMPUS COPAYMENT FOR CERTAIN BENEFICIARIES.

(a) IN GENERAL.—Section 1079 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(1) The Secretary of Defense shall, in the case of a hospital that provides free medical care to all patients and that otherwise fulfills eligibility requirements established by the Secretary for hospitals under plans covered by subsection (a), waive any payment required under subsection (b) or (e) with respect to treatment received in such hospital by persons covered by this section.".

(b) EFFECTIVE DATE.—Section 1079(1) of title 10, United States Code (as added by subsection (a)), shall apply with respect to medical care received after the date of the enactment of this Act.

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64. AN AMENDMENT OFFERED BY REPRESENTATIVE SMITH OF NEW JERSEY DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. SMITH OF NEW JERSEY

At the end of part B of title VIII of division A (page 158, after line 13), insert the following new section:

SEC. 814. ELIGIBILITY OF PHILANTHROPIC INSTITUTIONS TO RECEIVE REIMBURSEMENT UNDER CHAMPUS.

(a) IN GENERAL.—

(1) ACTIVE-DUTY DEPENDENTS.—Section 1079 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(l) Notwithstanding subsection (j), a hospital that is operated primarily for philanthropic purposes may not be denied payment for a charge for services for which a claim is submitted under a plan contracted for under subsection (a) solely on the basis that such hospital does not impose a legal obligation on patients to pay for such services.".

(2) CERTAIN MEMBERS, FORMER MEMBERS, AND THEIR DEPENDENTS.—Section 1086 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(h) Notwithstanding subsection (d) or any other provision of this chapter, a hospital that is operated primarily for philanthropic purposes may not be denied payment for a charge for services for which a claim is submitted under a plan contracted for under subsection (a) solely on the basis that such hospital does not impose a legal obligation on patients to pay for such services.".

(b) EFFECTIVE DATE.—Section 1079(1) of title 10, United States Code (as added by subsection (a)(1)), and section 1086 of such title (as added by subsection (a)(2)) shall apply with respect to medical care received after the date of the enactment of this Act.

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65. AN AMENDMENT OFFERED BY REPRESENTATIVE WYDEN OF OREGON DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. WYDEN OF OREGON

At the end of part A of title VIII of division A (page 142, after line 8), add the following new section:

SEC. 808. DEFENSE INVESTIGATIVE SERVICE INVESTIGATIONS OF SPECIAL ACCESS PROGRAM CONTRACTORS.

(a) PERIODIC SECURITY INVESTIGATIONS.—The Secretary of Defense shall direct the Director of the Defense Investigative Service to conduct an investigation at least every six months of each special access program contractor in order to verify control of classified material held by the contractor pertaining to the special access program.

(b) REPORT.—The Secretary of Defense shall submit to Congress an annual report on the results of investigations under subsection (a). Such report shall be submitted in an unclassified form and shall be prepared in consultation with the Director of the Defense Investigative Service. Each such report shall include—

(1) a certification of what portion of special access program contractors have been determined to be handling special access program information in accordance with established Department of Defense procedures and what portion have been determined to not be handling such information in accordance with such procedures;

(2) with respect to those special access program contractors which have been determined to not be handling such information in accordance with such procedures—

(A) a certification of what portion have been corrected or are being corrected;

(B) a description of the seriousness of the failures to handle such information in accordance with such procedures; and

(C) a description of what corrective action has been taken and is planned to be taken to correct such failures.

(c) DEFINITION.—For purposes of this section, the term "special access program contractor" means a firm that is a contractor with the Department of Defense under a special access program.

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66. AN AMENDMENT OFFERED BY REPRESENTATIVE BENNETT OF FLORIDA DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. BENNETT OF FLORIDA

At the end of title IX of division A (page 214, after line 18), add the following new section:

SEC. 935. CONFLICT-OF-INTEREST IN DEFENSE PROCUREMENT.

(a) IN GENERAL.—(1) Chapter 141 of title 10, United States Code, is amended by inserting after section 2397a the following new sections:

"§ 2397b. Certain former Department of Defense procurement officials: limitations on employment by contractors

"(a)(1) Any person—

"(A) who is a former officer or employee of the Department of Defense or a former or retired member of the armed forces; and

"(B) who, during the two-year period preceding the person's separation from service in the Department of Defense, participated personally and substantially, and in a manner involving decisionmaking responsibilities, in a procurement function with respect to a contract through contact with the contractor,

may not accept compensation from that contractor for a period of two years following the person's separation from service in the Department of Defense.

"(2) In paragraph (1), the term 'decisionmaking responsibilities' includes the following activities with respect to a contract: approval or disapproval, or making recommendations or engaging in negotiations, with regard to a procurement function.

"(3) For purposes of paragraph (1), whether or not a person is a contractor (as defined in subsection (f)(2)) is determined as of the date of the separation from service of the officer or employee of the Department of Defense or member of the armed forces involved.

"(4) Any person who knowingly violates paragraph (1) shall be imprisoned for not more than one year and shall be subject to a fine in the amount provided in title 18.

"(5) Any person who knowingly offers or provides any compensation to another person, and who knew or should have known that the acceptance of such compensation is or would be in violation of paragraph (1), shall be imprisoned for not more than one year and shall be subject to a fine in the amount provided in title 18.

"(b)(1) This section applies only to—

"(A) civilian positions for which the rate of pay is equal to or greater than the minimum rate of pay payable for grade GS–13 of the General Schedule; and

"(B) to positions held by members of the armed forces in a pay grade of O–4 or higher.

"(2)(A) When a vacancy occurs in a sensitive civilian procurement executive position, the Secretary of Defense, with the concurrence of the Director of the Office of Government Ethics, may exempt the person appointed to fill the vacancy from the provisions of subsection (a) by reason of service in such position.

"(B) For purposes of subparagraph (A), a sensitive civilian procurement executive position is a position—

"(i) which is identified under paragraph (1);

"(ii) which is a civilian position to which a person is appointed by the President, by and with the advice and consent of the Senate; and

"(iii) with respect to which the Secretary of Defense determines that the duties inherent in the position involve personal and substantial participation in procurement functions (to the extent to which subsection (a)(1) applies) with so many contractors that implementation of subsection (a) with respect to persons serving in the position would seriously hamper the ability of the Department of Defense to obtain the services of a highly qualified person to serve in the position.

"(C) An exemption granted under this paragraph shall not apply to the extent that the person granted the exemption acts as a government representative in the negotiation or settlement of a contract with a contractor.

"(D) Whenever the Secretary of Defense grants an exemption under this paragraph, the Secretary shall promptly submit to the Committees on Armed Services and Governmental Affairs of the Senate and the Committees on Armed Services and the Judiciary of the House of Representatives a report describing the exemption and setting forth the specific reasons for the exemption.

"(c) The Secretary of Defense shall provide to each person separated from service in the Department of Defense in a position described in subsection (b)(1) who, within the two years preceding the date of such separation, participated in a procurement function of the Department a notice with respect to this section. Such notice shall include—

"(1) a written explanation of the provisions of this section; and

"(2) the name of each contractor from whom such person is prohibited from accepting compensation under this section.

"(d) This section does not apply—

"(1) to a contract for an amount less than $100,000;

"(2) to compensation of a person by an entity that did not have a Department of Defense contract in excess of $100,000 at the time the person participated personally and substantially in a procurement function (to the extent to which subsection (a)(1) applies) with respect to a contract with that entity; or

"(3) to a contractor that was awarded contracts by the Department of Defense during the preceding fiscal year in a total amount less than $100,000.

"(e)(1) A person who is considering the propriety of accepting compensation that might place the person in violation of subsection (a) may, before acceptance of such compensation, apply to the Director of the Office of Government Ethics for advice on the applicability of this section to the acceptance of such compensation.

"(2) An application under paragraph (1) shall contain such information as the Director requires.

"(f) In this section:

"(1) The term 'compensation' includes any payment, gift, benefit, reward, favor, or gratuity—

"(A) which is provided, directly or indirectly, for services rendered; and

"(B) which is valued in excess of $250 at the prevailing market price.

"(2) The term 'contractor' means—

"(A) a person that contracts to supply the Department of Defense with goods or services; and

"(B) a person that controls, is controlled by, or is under common control with, a person described in subparagraph (A).

Such term does not include a State or local government or an organization described in section 501(c)(3) of the Internal Revenue Code of 1954 which is exempt from taxation under section 501(a) of such Code.

"(3) The term 'procurement function' includes, with respect to a contract, any function relating to—

"(A) the negotiation, award, administration, or approval of the contract;

"(B) the selection of a contractor;
"(C) the approval of changes in the contract;
"(D) quality assurance, operational and developmental testing, the approval of payment, or auditing under the contract; or
"(E) the management of the procurement program.
"(4) The term 'armed forces' does not include the Coast Guard.
"(g) For the purposes of this section and section 2397c of this title, a member or former member of the armed forces shall be considered to have been separated from service in the Department of Defense upon the member's discharge or release from active duty.

"§ 2397c. Defense contractors: requirements concerning former Department of Defense officials

"(a)(1) With respect to a contractor that during a fiscal year enters into contracts with the Department of Defense for the procurement of goods and services in amounts aggregating $100,000 or more, each contract for procurement of goods or services entered into by the Department with that contractor during the next fiscal year shall include a provision under which the contractor agrees not to provide compensation to a person if the acceptance of such compensation by such person would violate section 2397b(a)(1) of this title.
"(2) Such a contract shall also provide that if the contractor knowingly violates a contract provision required by paragraph (1) the contractor shall pay to the United States, as liquidated damages under the contract, an amount equal to the greater of—
"(A) $100,000; or
"(B) three times the compensation paid by the contractor to the person in violation of such contract provision.
"(b)(1)(A) Each contractor subject during a calendar year to a contract term described in subsection (a) shall submit to the Secretary of Defense not later than April 1 of the next year a report covering the preceding calendar year. Each such report shall list the name of each person (together with other information adequate for the Government to identify the person) who—
"(i) is a former officer or employee of the Department of Defense or a former or retired member of the armed forces; and
"(ii) was provided compensation by that contractor during the preceding calendar year, if such compensation was provided within two years after such officer, employee, or member left service in the Department of Defense.
"(B) Each such listing shall—
"(i) show each agency in which the person was employed or served on active duty during the last two years of the person's service in the Government;
"(ii) show the person's job titles during the last two years of the person's service in the Government;
"(iii) contain a full and complete description of the duties of the person during the last two years of such service; and
"(iv) contain a description of the duties (if any) that the person is performing on behalf of the contractor.
"(2) A person who knowingly fails to file a report required by paragraph (1) shall be fined not more than $10,000.
"(3) The Secretary of Defense shall review each report under paragraph (1) to assess the report for accuracy and completeness and for the purpose of identifying possible violations of paragraph (1) or section 2397b(a) of this title or of a contract provision required by subsection (a). The Secretary shall report any such possible violation to the Attorney General.
"(c)(1) The Director of the Office of Government Ethics shall have access to the reports submitted under subsection (b)(1) and shall conduct an annual random review of the reports for violations of section 2397b(a) of this title and subsections (a) and (b)(1).
"(2) Not later than October 1 of each year, the Director shall submit to Congress a report on the operation of this section. Each such report shall include the findings of the Director based on the examination of reports for the preceding calendar year.
"(d) This section does not apply to a contract for an amount less than $100,000.
"(e) The definitions set forth in section 2397b(f) of this title apply to this section.".
(2) The table of sections at the beginning of chapter 141 of title 10, United States Code, is amended by inserting after the item relating to section 2397a the following new items:

"2397b. Certain former Department of Defense procurement officials: limitations on employment by contractors.
"2397c. Defense contractors: requirements concerning former Department of Defense officials.".

(b) REPEAL.—Effective on the effective date of this section, section 921 of the Defense Procurement Improvement Act of 1985 (title IX of Public Law 99-145; 10 U.S.C. 2397a note) is repealed.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—Subject to paragraphs (1) and (2), this section and the amendments made by this section shall take effect 180 days after the date of the enactment of this Act.

(2) EFFECTIVE DATE FOR REGULATORY AUTHORITY.—Subsection (b) of section 2397b of title 10, United States Code, as added by subsection (a), shall take effect on the date of the enactment of this Act. The Secretary of Defense shall prescribe and publish in the Federal Register regulations under that subsection not later than 180 days after such date.

(3) EFFECT ON EMPLOYMENT.—(A) The amendments made by this section—

(i) do not preclude the continuation of employment that began before the effective date of this section or the acceptance of compensation for such employment; and

(ii) do not, except as provided in subparagraph (B), apply to a person whose service in the Department of Defense terminates before the effective date of this section.

(B) Subparagraph (A)(ii) does not preclude the application of the amendments made by this section to a person with respect to service in the Department of Defense by such person on or after the effective date of this section.

(4) EFFECTIVE DATE FOR REPORTING REQUIREMENT.—The first report under section 2397c(c)(2) of title 10, United States Code, as added by subsection (a), shall be submitted not later than October 1, 1987.

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67. AN AMENDMENT OFFERED BY REPRESENTATIVE BENNETT OF FLORIDA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. BENNETT OF FLORIDA

At the end of title IX of division A (page 214, after line 18), insert the following new section:

SEC. 925. LIMITATION ON AVAILABILITY OF EXCESS FUNDS.

(a) UNNECESSARY FUNDS.—The Secretary of Defense may not obligate or expend amounts appropriated to the Secretary, for any program, project, or activity, that are in excess of the amount needed to carry out the program, project, or activity for which such amounts were appropriated. Excess amounts that may not be obligated or expended are—

(1) inflation savings;

(2) excess working capital fund costs;

(3) foreign currency savings; and

(4) all other savings.

(b) FAILURE TO OBLIGATE FUNDS WITHIN THREE YEARS.—The Secretary of Defense may not obligate amounts appropriated to the Secretary for any program, project, or activity, for which a contract has not been entered into, after the end of the three-year period beginning on the date that such amounts become available for obligation for such program, project, or activity.

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68. AN AMENDMENT OFFERED BY REPRESENTATIVE OBERSTAR OF MINNESOTA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. OBERSTAR OF MINNESOTA

At the end of title IX of division A (page 214, after line 18), add the following new section:

SEC. 925. SUBCONTRACTOR INFORMATION TO BE PROVIDED TO PROCUREMENT OUTREACH CENTERS.

(a) CONTRACTORS TO FURNISH INFORMATION.—(1) Chapter 142 of title 10, United States Code, is amended—

(A) by redesignating section 2416 as section 2417; and
(B) by inserting after section 2415 the following new section:

"§ 2416. Subcontractor information

"(a) The Secretary of Defense shall require that any defense contractor in any year shall provide to an eligible entity with which the Secretary has entered into a cooperative agreement under this chapter, on the request of such entity, the information specified in subsection (b).

"(b) Information to be provided under subsection (a) is a listing of the name of each appropriate employee of the contractor who has responsibilities with respect to entering into contracts on behalf of such contractor that constitute subcontracts of contracts being performed by such contactor, together with the business address and telephone number and area of responsibility of each such employee.

"(c) A defense contractor need not provide information under this section to a particular eligible entity more frequently than once a year.

"(d) In this section, the term 'defense contractor', for any year, means a person awarded a contract with the Department of Defense in that year for an amount in excess of $100,000.".

(2) The table of sections at the beginning of such chapter is amended by striking out the item relating to section 2416 and inserting in lieu thereof the following new items:

"2416. Subcontractor information.
"2417. Regulation.".

(b) EFFECTIVE DATE.—Section 2416 of title 10, United States Code, as added by subsection (a), shall take effect on January 1, 1987.

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69. AN AMENDMENT OFFERED BY REPRESENTATIVE COOPER OF TENNESSEE DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. COOPER OF TENNESSEE

Page 179, line 19, strike out "(2)" and insert in lieu of thereof "(2)(A)"

Page 179, line 22, insert "in the industry categories described in subparagraph (B)" after "business concerns".

Page 179, after line 23, insert the following new subparagraph:

"(B) Subparagraph (A) shall apply only to business concerns in the following industry categories:
"(i) construction (not including dredging);
"(ii) architectural and engineering services (including surveying and mapping services); and
"(iii) ship building and ship repair. (not including dredging).

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70. AN AMENDMENT OFFERED BY REPRESENTATIVE ROWLAND OF CONNECTICUT DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. ROWLAND OF CONNECTICUT

At the end of title IX of division A (page 214, after line 18), insert the following:

SEC. 925. PROVISIONS RELATING TO SUBMISSION OF FALSE COST OR PRICING DATA BY DEFENSE CONTRACTORS.

(a) CIVIL AND CRIMINAL ACTIONS.—
(1) IN GENERAL.—Section 2306(f) of title 10, United States Code, is amended by adding at the end thereof the following new paragraphs:

"(6) A civil action under section 3730 of title 31 (relating to civil actions for false claims) may be brought—
"(A) against a prime contractor (or subcontractor) who—
"(i) submits false cost or pricing data under paragraph (1); and
"(ii) knew or should have known that the data was false; and

"(B) against the chief executive officer (or the equivalent of that officer) of a prime contractor (or subcontractor) described in subparagraph (A) if—

"(i) the prime contractor (or subcontractor) did not have in effect an auditing system approved by the Secretary of Defense under paragraph (9) and the officer, in the proper exercise of the authority of the officer, should have known that the data was false; or

"(ii) the officer knew that the data was false.

"(7) A person against whom a judgment is rendered in a civil action brought under section 3730 of title 31 by reason of the provisions of paragraph (6) shall be liable to the United States for—

"(A) a civil penalty of not more than $500,000;

"(B) an amount equal to two times the amount of the damage the United States sustains because of the act of that person in submitting false cost or pricing data; and

"(C) the costs of the civil action.

"(8)(A) If a prime contractor (or subcontractor) submits false cost or pricing data under paragraph (1), and knew or should have known that the data was false, that action shall be considered to be a violation of section 287 of title 18.

"(B) The chief executive officer (or the equivalent of that officer) of a prime contractor (or subcontractor) described in subparagraph (A) shall be considered to have violated section 287 of title 18 if—

"(i) the prime contractor (or subcontractor) did not have in effect an auditing system approved by the Secretary of Defense under paragraph (9) and the officer, in the proper exercise of the authority of the officer, should have known that the data was false; or

"(ii) the officer knew that the data was false.

"(9) The Secretary of Defense may approve an auditing system for a prime contractor (or subcontractor) that—

"(A) is designed to detect fraud or overcharges with respect to contracts with the Department of Defense;

"(B) provides for notice to the Secretary of any such fraud or overcharge; and

"(C) is determined by the Secretary to meet minimum standards established by the Secretary with respect to—

"(i) frequency of audits;

"(ii) program integrity; and

"(iii) such other matters as the Secretary determines.".

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to submissions of cost or pricing data made on or after the date of the enactment of this Act.

(b) PROVISIONS RELATING TO DEBARMENT OF DEFENSE CONTRACTORS.—Section 2393 of title 10, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

"(c)(1) The Secretary of Defense or the Secretary of a military department may not debar a prime contractor (or subcontractor) unless the United States commences an action in the United States District Court for the District of Columbia to debar that prime contractor (or subcontractor) and—

"(A) the prime contractor (or subcontractor) does not file a motion with respect to that action before the end of the 90-day period beginning on the date that the action is filed; or

"(B) the Court decides the action in favor of the United States.

"(2) It is the duty of the District Court for the District of Columbia to advance on the docket and to expedite to the greatest possible extent the disposition of any action brought under paragraph (1).".

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71. AN AMENDMENT OFFERED BY REPRESENTATIVE TRAFICANT OF OHIO DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. TRAFICANT OF OHIO

At the end of part C of title IX of division A (page 214, after line 18), insert the following new section:

SEC. 925. REPEAL OF PROHIBITION ON USE OF FUNDS TO RELIEVE ECONOMIC DISLOCATIONS.

(a) REPEAL.—Section 2392 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 141 of such title is amended by striking out the item relating to section 2392.

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72. AN AMENDMENT OFFERED BY REPRESENTATIVE WHITEHURST OF VIRGINIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. WHITEHURST OF VIRGINIA

At the end of title X of division A (page 239, after line 5), add the following new section:

SEC. 1033. REIMBURSEMENT FOR INCIDENTAL EXPENSES INCURRED WHILE PROVIDING VOLUNTARY SERVICES.

Section 1588 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(c) The Secretary of the military department concerned may provide for reimbursement of incidental expenses which are incurred by a person providing voluntary services under subsection (a) as an ombudsman or for a family service center program. Such Secretary shall determine which expenses are eligible for reimbursement under this subsection.

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73. AN AMENDMENT OFFERED BY REPRESENTATIVE BENNETT OF FLORIDA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. BENNETT OF FLORIDA

At the end of title X of division A, (page 239, after line 5), insert the following new section:

SEC. 1033. LIMITATION ON AVAILABILITY OF EXCESS FUNDS.

(a) UNNECESSARY FUNDS.—The Secretary of Defense may not obligate or expend amounts appropriated to the Secretary, for any program, project, or activity, that are in excess of the amount needed to carry out the program, project, or activity for which such amounts were appropriated. Excess amounts that may not be obligated or expended are—

(1) inflation savings;
(2) excess working capital fund costs;
(3) foreign currency savings; and
(4) all other savings.

(b) FAILURE TO OBLIGATE FUNDS WITHIN THREE YEARS.—The Secretary of Defense may not obligate amounts appropriated to the Secretary for any program, project, or activity, for which a contract has not been entered into, after the end of the three-year period beginning on the date that such amounts become available for obligation for such program, project, or activity.

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74. AN AMENDMENT OFFERED BY REPRESENTATIVE DELLUMS OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DELLUMS OF CALIFORNIA

At the end of title X of division A (page 239, after line 5), insert the following:

SEC. 1033. IMPROVEMENT OF PROCUREMENT ACCESS OF SMALL DISADVANTAGED BUSINESS CONCERNS.

(a) EXTENSION OF PROGRAM.—The Secretary of Defense shall extend through September 30, 1988, the program of the Department of Defense known as Enterprise America for the purposes of increasing the number of small business concerns owned and controlled by socially and economically disadvantaged individuals (as de-

fined by section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and regulations issued under that section) that receive—

(1) defense contracts for amounts of $25,000 or more;

(2) competitive prime contract awards; and

(3) subcontract awards by prime defense contractors.

(b) AUTHORIZATION OF FUNDS.—Of the amounts appropriated to the Department of Defense for fiscal years 1987 for operations and maintenance, $4,000,000 is available only for purposes of carrying out this section.

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75. AN AMENDMENT OFFERED BY REPRESENTATIVE SCHROEDER OF COLORADO DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MRS. SCHROEDER OF COLORADO

At the end of title X of division A (page 239, after line 5), add the following new section:

SEC. 1033. DEFENSE OF LEGAL MALPRACTICE SUITS.

(a) IN GENERAL.—Chapter 53 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1051. Defense of certain suits arising out of legal malpractice

"(a) The remedy against the United States provided by sections 1346(b) and 2672 of title 28 for damages for injury or loss of property caused by the negligent or wrongful act or omission of any person who is an attorney, paralegal, or other member of a legal staff within the Department of Defense (including the National Guard while engaged in training or duty under section 316, 502, 503, 504, or 505 of title 32), in connection with providing legal services while acting within the scope of the person's duties or employment, is exclusive of any other civil action or proceeding by reason of the same subject matter against the person (or the estate of the person) whose act or omission gave rise to such action or proceeding.

"(b) The Attorney General shall defend any civil action or proceeding brought in any court against any person referred to in subsection (a) (or the estate of such person) for any such injury. Any person against whom such a civil action or proceeding is brought shall deliver, within such time after date of service or knowledge of service as determined by the Attorney General, all process served upon such person (or an attested true copy thereof) to such person's immediate superior or to whomever was designated by the head of the agency concerned to receive such papers. Such person shall promptly furnish copies of the pleading and process therein—

"(1) to the United States attorney for the district embracing the place wherein the action or proceeding is brought;

"(2) to the Attorney General; and

"(3) to the head of the agency concerned.

"(c) Upon a certification by the Attorney General that a person described in subsection (a) was acting in the scope of such person's duties or employment at the time of the incident out of which the suit arose, any such civil action or proceeding commenced in a State court—

"(1) shall be removed without bond at any time before trial by the Attorney General to the district court of the United States of the district and division embracing the place wherein it is pending; and

"(2) shall be deemed a tort action brought against the United States under the provisions of title 28 and all references thereto. Should a United States district court determine on a hearing on a motion to remand held before a trial on the merits that the case so removed is one in which a remedy by suit within the meaning of subsection (a) is not available against the United States, the case shall be remanded to the State court.

"(d) The Attorney General may compromise or settle any claim asserted in such civil action or proceeding in the manner provided in section 2677 of title 28, and with the same effect.

"(e) For purposes of this section, the provisions of section 2680(h) of title 28 shall not apply to a cause of action arising out of a negligent or wrongful act or omission in the provision of legal assistance.

"(f) The head of the agency concerned may hold harmless or provide liability insurance for any person described in subsection (a) for damages for injury or loss of

property caused by such person's negligent or wrongful act or omission in the provision of authorized legal assistance while acting within the scope of such person's duties if such person is assigned to a foreign country or detailed for service with an entity other than a Federal department, agency, or instrumentality or if the circumstances are such as are likely to preclude the remedies of third persons against the United States described in section 1346(b) of title 28, for such damage or injury.

"(g) In this section, 'head of the agency concerned' means—

"(1) the Secretary of Defense or the Secretary of a military department; or

"(2) the Secretary of Transportation."

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"1051. Defense of certain suits arising out of legal malpractice.".

(b) EFFECTIVE DATE.—Section 1051 of title 10, United States Code, as added by subsection (a), shall apply only to claims accruing on or after the date of the enactment of this Act, regardless of when the alleged negligent or wrongful act or omission occurred.

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76. AN AMENDMENT OFFERED BY REPRESENTATIVE SCHROEDER OF COLORADO DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MRS. SCHROEDER OF COLORADO

At the end of title X of division A (page 239, after line 5), insert the following new section:

SEC. 1033. CORRECTION OF EFFECTS OF CONTAMINATION AT ROCKY MOUNTAIN ARSENAL.

(a) IN GENERAL.—

(1) USE OF AMOUNTS RECEIVED FROM LITIGATION.—Any amounts received as the result of the litigation described in paragraph (2) (whether from a judgment rendered in such litigation or from a settlement of such litigation) shall be available, without fiscal year limitation, to the Secretary of the Army only for purposes of correcting the effects of contamination at the Rocky Mountain Arsenal.

(2) DESCRIPTION OF LITIGATION.—The litigation referred to in paragraph (1) is any litigation between the United States and any person concerning the liability of such person for correcting the effects of contamination at the Rocky Mountain Arsenal or for cost recovery relating to correcting the effects of such contamination.

(b) ACCEPTANCE OF SERVICES.—In partial settlement of the litigation described in subsection (a), the United States may accept services that correct the effects of contamination at the Rocky Mountain Arsenal.

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77. AN AMENDMENT OFFERED BY REPRESENTATIVE BYRON OF MARYLAND DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MRS. BYRON OF MARYLAND

At the end of title X of division A (page 239, after line 5), add the following new section:

SEC. 1033. WITHHOLDING OF STATE UNIVERSITY FUNDS IF MILITARY DEPENDENTS CHARGED OUT-OF-STATE TUITION.

(a) WITHHOLDING OF FUNDS.—The Secretary of Defense shall withhold funds as described in subsection (b) from any State which charges an out-of-State rate of tuition to a military dependent attending a post-secondary school in such State, if the member of the armed forces with respect to whom the person attending school is a dependent is stationed in the State.

(b) AMOUNTS WITHHELD.—With respect to any fiscal year, the Secretary shall withhold from any State described in subsection (a)—

(1) 10 percent of amounts available to the State during the fiscal year for the University Research Inititative program; and

(2) 10 percent of amounts available to the State during the fiscal year for impact aid provided pursuant to section 2008 of title 10, United States Code.

(c) DEPENDENT DEFINED.—For purposes of this section, the term 'dependent' has the meaning given such term by section 401 of title 37, United States Code.

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78. AN AMENDMENT OFFERED BY REPRESENTATIVE DAVIS OF MICHIGAN DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DAVIS OF MICHIGAN

At the end of title X of division A (page 239, after line 12), add the following new section:

SEC. 1033. WAGE RATE FOR CERTAIN CORPS OF ENGINEERS EMPLOYEES.

(a) WAGE DETERMINATIONS.—(1) Notwithstanding any other provision of law, in the administration of the last undesignated paragraph preceding chapter 6 of title I of Public Law 97-257 (96 Stat. 832), the individuals described in paragraph (2) shall be paid wages determined in the same manner as that established in such undesignated paragraph with respect to United States Army Corps of Engineers employees paid from Corps of Engineers Special Power Rate Schedules.

(2) The individuals described in this paragraph are electric powerplant controllers and powerplant shift operators (as defined under regulations prescribed by the Secretary of Defense or his designee) assigned to the Soo Locks Power Plant in the Detroit District in the North Central Region of the United States Army Corps of Engineers.

(b) EFFECTIVE DATE.—Subsection (a) is effective with respect to pay periods commencing on or after the date of enactment of this Act.

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79. AN AMENDMENT OFFERED BY REPRESENTATIVE HUTTO OF FLORIDA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. HUTTO OF FLORIDA

At the end of title X of division A (page 239, after line 5), add the following new section:

SEC. 1033. MEAL REIMBURSEMENT FOR NONPROFIT YOUTH GROUPS RESIDING AT MILITARY INSTALLATIONS.

Section 1011(b) of title 37, United States Code, is amended by inserting after "military installation" in the second sentence the following: "or when residing at a military installation pursuant to an agreement in effect on June 30, 1986,".

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80. AN AMENDMENT OFFERED BY REPRESENTATIVE HUNTER OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, OFFERED BY MR. HUNTER

SEC. . PERFORMANCE OF AIRCRAFT CARRIER SERVICE LIFE EXTENSION PLAN.

The Secretary of the Navy shall carry out the service life extension of aircraft carriers in shipyards located on the same coast of the United States on which those aircraft carrier are homeported. Subject to this provision are all aircraft carriers that undergo a service life extension following the USS Kitty Hawk.

81. AN AMENDMENT OFFERED BY REPRESENTATIVE HUNTER OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, OFFERED BY MR. HUNTER

At an appropriate place, add the following new section:

SEC. . BALLISTIC MISSILE DEFENSIVE SYSTEM.

The Congress declares that it is the policy of the United States to expeditiously develop and deploy in cooperation with our allies a defensive system no less capable than the Soviet SA-12 system to defend against attacks by ballistic missiles.

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82. AN AMENDMENT OFFERED BY REPRESENTATIVE HUNTER OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. HUNTER

At the end of title X of division A (page 239, after line 5) add the following new section:

SEC. 1033. FEDERAL SUPPORT OF STATE DEFENSE FORCES.

(a) IN GENERAL.—(1) Title 32, United States Code, is amended by adding at the end the following new chapter:

CHAPTER 9—STATE DEFENSE FORCES

Sec.
901. Definitions.
902. General.
903. Membership.
904. Arms and Equipment.

§ 901. Definitions

In this chapter:

(1) The term "State defense force" means a military force or defense force organized by a state to serve as a state military reserve force that would train to become actively operational when the State National Guard forces are federalized or otherwise not available in or adequate to the needs of the state. A State defense force need not be so named by the state to be a State defense force for purposes of this chapter.

(2) The term "State" includes the District of Columbia and any territory or commonwealth that has an organized National Guard.

(3) The term "national emergency" means an emergency declared by the President or the Congress.

§ 902. General Policy

State defense forces are considered to be in the national interest as a reserve force of the several states to maintain public safety and order, to protect essential resources and facilities, to combat terrorism, and to perform essential services when National Guard forces are federalized or otherwise not available or adequate to the state. Such State defense forces serve an essential need to the nation, and it is national policy and in the interest of national security that such forces be supported by the armed forces within operational, readiness, and fiscal constraints.

§ 903. Membership

(a) Membership in a State defense force is determined by the state sponsoring such a defense force. However, a member of any of the armed forces may not be a member of a State defense force unless such membership is authorized under regulations prescribed by the Secretary of Defense, or, in the case of the Coast Guard, the Secretary of Transportation. Membership in a State defense force does not exempt any person from the registration or conscription provisions of the Military Selective Service Act or from any military duty or service which such person may be required to perform by virtue of membership in the armed forces.

(b) A state may require an oath of allegiance to a chief executive of a state before membership in a State defense force. However, any oath administered shall include an affirmation of support for the Constitution of the United States and shall not include a provision that would limit a person's appointment or enlistment in an armed force.

§ 904. Arms and Equipment

(a) The Secretary of a military department may issue or loan military equipment, supplies, arms, ammunition, and similar items to a state for the use of its State defense force.

(b) The Secretary of Defense shall prescribe such policies and procedures as the Secretary considers necessary to carry out the provisions of this section. Such policies and procedures shall—

(1) ensure that the items specified in subsection (a) may not be issued or loaned if to do so would affect adversely the readiness of active or reserve armed forces at that time, and

(2) provide that when any property issued or loaned is no longer needed by a State defense force, it shall be reported to the Secretary of the military department concerned and any property disposal shall be in accordance with the provisions of the Federal Property and Administrative Services Act of 1949.

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83. AN AMENDMENT OFFERED BY REPRESENTATIVE FOLEY OF WASHINGTON DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. FOLEY OF WASHINGTON

At the end of title X of division A (page 239, after line 5), add the following new section:

SEC. 1033. LIMITATION ON INTRODUCTION OF ARMED FORCES INTO NICARAGUA FOR COMBAT.

(a) LIMITATION.—Funds appropriated to the Department of Defense may not be obligated or expended for the purpose of introducing United States Armed Forces into or over Nicaragua for combat.

(b) DEFINITION OF COMBAT.—As used in this section, the term "combat" means the introduction of United States Armed Forces for the purpose of delivering weapons fire upon an enemy.

(c) EXCEPTIONS TO LIMITATION.—This section does not apply with respect to an introduction of United States Armed Forces into or over Nicaragua for combat if—

(1) the Congress has declared war or enacted specific authorization for such introduction; or

(2) such introduction is necessary—

(A) to meet a clear and present danger of hostile attack upon the United States, its territories or possessions; or

(B) to meet a clear and present danger to, and to provide necessary protection for the United States Embassy; or

(C) to meet a clear and present danger to, and to provide necessary protection for and to evacuate, United States Government personnel or United States citizens;

(d) EXISTING REQUIREMENTS PRESERVED.—Nothing in this section shall invalidate any requirement of Public Law 93-148.

(e) TREATY AUTHORITY PRESERVED.—Nothing in this section shall invalidate any authority of the United States to act in accordance with the Organization of American States under the provisions of the Inter-American Treaty of Reciprocal Assistance.

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84. AN AMENDMENT OFFERED BY REPRESENTATIVE ANDERSON OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. ANDERSON OF CALIFORNIA

At the end of title X of division A (page 239, after line 5), insert the following new section:

SEC. 1033. FOREIGN CURRENCY EXCHANGE FOR MOVEMENT OF HOUSEHOLD GOODS.

(a) REINSTATEMENT OF PROGRAM.—The Secretary of the Army shall reinstitute the foreign currency rate adjustment program of the Military Traffic Management Command of the Army that was discontinued as of April 1, 1985, by the Commander of such Command.

(b) EFFECTIVE DATE.—Such program shall be reinstituted with respect to the International Through Government Bill of Lading (ITGBL) Personal Property Program effective with the procurement Volume 53 (effective October 1, 1986). The Commander of the Command shall issue a new procurement containing the reinstituted foreign currency rate adjustment program and allow carriers to rebid their rates pursuant to the changes made in this section.

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85. AN AMENDMENT OFFERED BY REPRESENTATIVE ANDERSON OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. ANDERSON OF CALIFORNIA

At the end of title X of division A (page 239, after line 5), insert the following new section:

SEC. 1033. REPORT ON PROPOSED REGULATIONS RELATING TO MOVEMENT OF HOUSEHOLD GOODS AND CARGOES.

(a) REPORT REQUIREMENT.—
(1) IN GENERAL.—The regulations of the Military Traffic Management Command described in subsection (b) may not become effective until—
(A) the Commander of the Military Traffic Management Command submits a report to Congress with respect to such regulations that includes a discussion of—
(i) the cost savings expected as a result of implementation of such regulations; and
(ii) the increased quality of services expected as a result of such implementation; and
(B) 90 days of continuous session of Congress elapse after the submission of such report.
(2) COMPUTATION OF TIME PERIOD.—For purposes of this subsection, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of such 90-day period.
(b) DESCRIPTION OF REGULATIONS.—The regulations referred to in subsection (a) are the regulations contained in the International Through Government Bill of Lading Rate Solicitation, volume 54, that concern—
(1) elimination of the so-called "me-too" rate filing cycle;
(2) elimination of the rate cancellation cycles;
(3) mandatory use of Government-owned containers; and
(4) changes in storage-in-transit charges.

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86. AN AMENDMENT OFFERED BY REPRESENTATIVE CHAPPELL OF FLORIDA DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT OFFERED BY MR. CHAPPELL TO THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1987 (H.R. 4428) DELETE SECTION 1002

On page 216 of the bill, delete the matter beginning after line 3 and all following thereafter through line 24, page 223.

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87. AN AMENDMENT OFFERED BY REPRESENTATIVE COLLINS OF ILLINOIS DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MRS. COLLINS OF ILLINOIS

At the end of title X of division A (page 239, after line 5), insert the following new section:

SEC. 1033. ADVERTISING CONTRACT SET-ASIDE REQUIREMENTS.

(a) SET-ASIDE REQUIREMENT.—Not less than 10 percent of amounts appropriated or otherwise made available to the Department of Defense during fiscal year 1987 that are obligated for advertising contracts shall be obligated for advertising contracts entered into with small business concerns owned and controlled by socially and economically disadvantaged individuals (as defined by section 8(d) of the Small Business Act (15 U.S.C. 637(d) and regulations issued under such section).

(b) WAIVER.—The Secretary of Defense may waive the application of this section if—

(1) the Secretary determines that lack of such a waiver would result in unacceptable delays in fulfilling the needs of the Department of Defense; and

(2) 60 days elapse after the submission to Congress by the Secretary of a report that—

(A) sets forth the reasons for the waiver; and

(B) provides supporting evidence for such reasons.

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88. AN AMENDMENT OFFERED BY REPRESENTATIVE RINALDO OF NEW JERSEY DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. RINALDO OF NEW JERSEY

At the end of part C of title X of division A (page 236, after line 12), insert the following new section:

SEC. 1022. REPORT ON ARMY DEBT COLLECTION.

(a) REPORT REQUIREMENT.—The Secretary of the Army shall submit to Congress a report on actions of the Secretary relating to debt collection taken as a result of the identification of problems with such debt collection in the report of the General Accounting Office entitled "Debt Collection", dated December 13, 1985.

(b) DEADLINE FOR REPORT.—The report required by subsection (a) shall be submitted not later than the end of the 60-day period beginning on the date of the enactment of this Act.

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89. AN AMENDMENT OFFERED BY REPRESENTATIVE DOWNEY OF NEW YORK DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DOWNEY OF NEW YORK

At the conclusion of title X of division A, insert the following new section:

SEC. —. LIMITATION.—Military technology developed with funds appropriate or otherwise made available for fiscal year 1987, or any subsequent year, to the Strategic Defense Initiative Organization may not be made available to the Soviet Union.

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90. AN AMENDMENT OFFERED BY REPRESENTATIVE WEAVER OF OREGON DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, BY MR. WEAVER

Amendment to Title 10; on page 239, after line 5, add a new section at the end thereof as follows:

SEC. 1033. PROCUREMENT OF MILITARY GRAIN RESERVE.

Whereas, a secure food supply is essential to the operation and maintenance of our armed services; and

Whereas, subsidized grain sales to the Soviet Union will provide military advantage to the Soviet Union by helping to keep their troops in Afghanistan and by freeing their funds for weapons production; Now therefore be it

Resolved, That it is the sense of the House of Representatives that the Secretary of Defense submit to the Congress a proposal to create a Military Grain Reserve to secure food supplies for the Armed Services in times of emergency; and that such proposal shall include provisions for procurement and storage of grain which other-

wise would be sold to the Soviet Union, as such subsidized grain sales to the Soviet Union are against the national security interest of the United States.

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91. AN AMENDMENT OFFERED BY REPRESENTATIVE GLICKMAN OF KANSAS DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. GLICKMAN OF KANSAS

At the end of title X in division A (page 239, after line 5), add the following new section:

SEC. 1033. SENSE OF CONGRESS ON USE OF ARMED FORCES TO PROTECT UNITED STATES CITIZENS AND AIR CARRIERS AT AIRPORTS OUTSIDE THE UNITED STATES.

It is the sense of the Congress that the President, pursuant to his authority under the Constitution, should consider assigning or detailing members of the Army, Navy, Air Force, or Marine Corps to guard United States citizens and United States passenger air carriers (including aircraft and personnel) at airports outside the United States against terrorism and other acts of violence. Any such assignment or detail—

(1) should not be made if the assignment or detail will adversely affect the military preparedness of the United States; and

(2) should be made only in a Nation whose government has agreed to allow the assignment or detail.

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92. AN AMENDMENT OFFERED BY REPRESENTATIVE GLICKMAN OF KANSAS DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. GLICKMAN OF KANSAS

At the end of title X in division A (page 239, after line 5), add the following new section:

SEC. 1033. AUTHORITY TO PROTECT UNITED STATES CITIZENS AND AIR CARRIERS AT AIRPORTS OUTSIDE THE UNITED STATES.

(a) IN GENERAL.—Chapter 18 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 379. Protection at airports outside the United States: Authority to assign or detail members of the armed forces.

"(a) AUTHORITY.—The President, in consultation with the Secretary of Transportation, may assign or detail members of the Army, Navy, Air Force, or Marine Corps to guard United States citizens and United States passenger air carriers (including aircraft and personnel) at airports outside the United States against terrorism and other acts of violence.

"(b) LIMITATION.—An assignment or detail under subsection (a) may not be made if the assignment or detail will adversely affect the military preparedness of the United States.

"(c) AGREEMENT BY FOREIGN NATION.—An assignment or detail under subsection (a) may be made only in a nation whose government has agreed to allow the assignment or detail.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"379. Protection at airports outside the United States: Authority to assign or detail members of the armed forces.".

93. AN AMENDMENT OFFERED BY REPRESENTATIVE GLICKMAN OF KANSAS DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. GLICKMAN OF KANSAS

At the end of title X in division A (page 239, after line 5), add the following new section:

SEC. 1033. SENSE OF CONGRESS ON USE OF ARMED FORCES TO PROTECT UNITED STATES CITIZENS AND AIR CARRIERS AT AIRPORTS OUTSIDE THE UNITED STATES.

It is the sense of the Congress that the President, pursuant to his authority under the Constitution, shall assign or detail members of the Army, Navy, Air Force, or Marine Corps to guard United States citizens and United States passenger air carriers (including aircraft and personnel) at airports outside the United States against terrorism and other acts of violence. Any such assignment or detail—

(1) shall not be made if the assignment or detail will adversely affect the military preparedness of the United States; and

(2) shall be made only in a Nation whose government has agreed to allow the assignment or detail.

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94. AN AMENDMENT OFFERED BY REPRESENTATIVE MURPHY OF PENNSYLVANIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. MURPHY OF PENNSYLVANIA

At the end of title X of division A (page 239, after line 5), insert the following new section:

SEC. 1033. COMPUTATION OF CONTRACT BID PRICES.

(a) IN GENERAL.—Section 2306 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(i) The head of an agency, in computing the price of a contract to be awarded using sealed-bid procedures, may not include in such computation the prices under such contract for options to purchase additional units of the item being procured under such contract.".

(b) EFFECTIVE DATE.—Section 2306(i) of title 10, United States Code (as added by subsection (a)), shall apply to solicitations for sealed bids issued after the date of the enactment of this Act.

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95. AN AMENDMENT OFFERED BY REPRESENTATIVE PANETTA OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. PANETTA OF CALIFORNIA

At the end of title X of division A (page 239, after line 5), insert the following new section:

SEC. 1033. OFF-POST RENTAL HOUSING LEASE INDEMNITY PILOT PROGRAM.

(a) ESTABLISHMENT OF PROGRAM BY SECRETARY OF DEFENSE.—

(1) IN GENERAL.—The Secretary of Defense shall establish a pilot program to test the feasibility of implementing a program under which the Secretary of a military department may guarantee compensation of any person who leases a rental unit to any member of the armed forces under the jurisdiction of the Secretary for any breach of any lease or any damage to the rental unit by the member.

(2) DEADLINE.—The program referred to in paragraph (1) shall be established not later than the 90-day period beginning on the date of the enactment of this Act, but not before October 1, 1986.

(b) ACTIONS BY SECRETARIES OF MILITARY DEPARTMENTS.—

(1) DESIGNATION OF MILITARY INSTALLATIONS.—In accordance with action taken by the Secretary of Defense under subsection (a), the Secretary of each military

department shall designate one military installation in the United States that is under the jurisdiction of such Secretary to participate in the program established under subsection (a).

(2) SECURITY AGREEMENTS.—For purposes of carrying out this section, the Secretary of a military department, to the extent approved in advance in appropriation Acts, may enter into an agreement with any person who leases a rental unit to any member of the armed forces under the jurisdiction of the Secretary. Any agreement under this paragraph shall provide that—

(A) the term of the agreement shall not be for more than one year;

(B) the member shall not pay a security deposit;

(C) the Secretary (except as provided in subparagraphs (D) and (E)) shall compensate the lessor for any breach of the lease by the member and for any damage to the rental unit caused by the member or by any guest or dependent of the member;

(D) the total liability of the Secretary for any breach of the lease or for any damage described in subparagraph (C) shall not exceed an amount equal to the amount that the Secretary determines would have been required by the lessor as a security deposit absent the agreement authorized in this paragraph;

(E) the Secretary shall not compensate the lessor for any breach of the lease or for any damage described in subparagraph (C) until the lessor exhausts any remedies available to the lessor against the member for the breach or damage; and

(F) the Secretary shall be subrogated to the rights of the lessor in any case in which the Secretary compensates the lessor for any breach of the lease or for any damage described in subparagraph (C).

(3) REGULATIONS.—Any authority of the Secretary of a military department under this section shall be exercised under regulations prescribed by the Secretary of Defense.

(c) GARNISHMENT OF PAY OF MEMBER OF ARMED FORCES.—Any Secretary who compensates any lessor under subsection (b) for any damage to a rental unit or any breach of a lease by a member of the armed forces may issue a special order under section 1007 of title 37, United States Code, to authorize the withholding from the pay of the member of an amount equal to the amount paid by the Secretary to the lessor as compensation for the breach or damage.

(d) REPORT REQUIREMENT.—

(1) IN GENERAL.—The Secretary of Defense shall submit to Congress a report concerning the pilot program established under subsection (a), including—

(A) findings and conclusions of the Secretary with respect to the pilot program; and

(B) recommendations as to the feasibility of implementing a program similar to the pilot program on all military installations.

(2) DEADLINE.—The report referred to in paragraph (1) shall be submitted before the expiration of the 18-month period following the date of the establishment of the pilot program under subsection (a).

(e) TERMINATION OF AUTHORITY.—The authority of the Secretary of a military department to enter into any contract under subsection (b) shall terminate upon the expiration of the 18-month period following the date of the establishment of the pilot program under subsection (a).

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96. AN AMENDMENT OFFERED BY REPRESENTATIVE DASCHLE OF SOUTH DAKOTA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, OFFERED BY MR. DASCHLE

Insert the following at the end of the general provisions:

SEC. . SPECIAL IMPACT ASSISTANCE TO DOUGLAS SCHOOL DISTRICT, SOUTH DAKOTA.

Of the funds appropriated to the Air Force for fiscal year 1987 for the construction of facilities in support of the B–1 bomber or the strategic training center at Ellsworth Air Force Base, South Dakota, the Secretary of the Air Force may use not more than $600,000 to provide assistance, by grant or otherwise, to the Douglas School District in Box Elder, South Dakota, near such Air Force base for purposes of mitigating any adverse impact on the schools in such district determined by the Sec-

retary to result from the deployment of the B-1 bomber or establishment of the strategic training center at such base.

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97. AN AMENDMENT OFFERED BY REPRESENTATIVE DORNAN OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DORNAN OF CALIFORNIA

Page 239, after line 5, add the following new section:

SEC. 1033. SENSE OF CONGRESS REGARDING RENAMING OF CHECKPOINT CHARLIE.

(a) FINDINGS.—The Congress finds the following:

(1) On March 24, 1985, Major Arthur D. Nicholson, Junior, of the United States Army was carrying out his official duties as a United States intelligence officer in the German Democratic Republic.

(2) On that date, Major Nicholson was performing his duties in an open and direct manner, according to orders and in the knowledge that he was conducting himself in a way which was neither excessively provocative nor beyond the limits of acceptable behavior for his assigned duties.

(3) On that date, a member or members of the Soviet armed forces shot and fatally wounded Major Nicholson without warning and without provocation, given the traditionally accepted rules of behavior for military officers engaged in activities such as those which Major Nicholson was engaged in.

(4) After having shot Major Nicholson, the members of the Soviet armed forces forcably restrained Major Nicholson's aide and prevented him from providing medical assistance to Major Nicholson, so that Major Nicholson died slowly and with great suffering, which death and suffering might have been prevented had Major Nicholson been permitted to receive assistance.

(5) The death of Major Nicholson was an untimely, unnecessary, cold-blooded murder committed against a United States military officer in pursuit of his official duties by a member or members of the armed forces of the Soviet Union, in a painful and degrading manner.

(b) SENSE OF CONGRESS.—The Congress deplores and condemns the cold-blooded murder of Major Arthur D. Nicholson, Junior. It is the sense of Congress that—

(1) the Government of the Union of Soviet Socialist Republics should apologize for and renounce the murder of Major Nicholson and should indemnify the family of Major Nicholson financially; and

(2) the President should name the East-West control point between the American and Soviet sectors in Berlin, currently known as Checkpoint Charlie, in honor of Major Arthur D. Nicholson, Junior.

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98. AN AMENDMENT OFFERED BY REPRESENTATIVE DORNAN OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DORNAN OF CALIFORNIA

Page 236, after line 12, add the following new section:

SEC. 1022. REPORT ON LANDING AREA FOR AV-8B HARRIER AIRCRAFT ON IOWA CLASS BATTLESHIP.

Within six months after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the feasibility and benefits of removing the rear turret off an Iowa class battleship to create a landing area for AV-8B Harrier aircraft.

99. AN AMENDMENT OFFERED BY REPRESENTATIVE DORNAN OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DORNAN OF CALIFORNIA

Page 236, after line 12, add the following new section:

SEC. 1022. ANNUAL REPORT ON SOVIET ABM TREATY COMPLIANCE.

Not later than February 1, 1987, and not later than February 1 of each following year, the Secretary of Defense shall submit to the Congress a report (in both classified and unclassified versions) on the compliance of the Soviet Union with the 1972 Treaty on the Limitation of Anti-Ballistic Missile Systems. The report shall include—

(1) the findings of the Secretary with respect to such compliance during the previous year including, if necessary, the military implications of, and possible United States military responses to, violations by the Soviet Union of such treaty; and

(2) any additional information the Secretary considers necessary to keep the Congress currently informed about such compliance.

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100. AN AMENDMENT OFFERED BY REPRESENTATIVE NELSON OF FLORIDA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. NELSON OF FLORIDA

At the end of title X of division A (page 239, after line 5), add the following new section:

SEC. 1033. AUTHORITY FOR TRANSFER TO NASA.

(a) AUTHORITY.—The Secretary of Defense may transfer funds made available to the Department of Defense in this division to the National Aeronautics and Space Administration for purposes of supporting the space shuttle program, including costs associated with the accident of the space shuttle obiter Challenger and costs of system support and operations.

(b) REPORT.—The Secretary of Defense shall promptly notify Congress of transfers made under the authority of this section.

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101. AN AMENDMENT OFFERED BY REPRESENTATIVE SOLOMON OF NEW YORK DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. SOLOMON OF NEW YORK

Page 239, after line 5, insert the following new section:

SEC. 1033. RESTRICTION ON PERFORMANCE OF SERVICES BY PERSONS WHO FAIL TO REGISTER UNDER THE MILITARY SELECTIVE SERVICE ACT.

(a) IN GENERAL.—(1) Chapter 141 of title 10, United States Code, is amended by adding at the end the following:

"§ 2408. Contracts: performance of services by selective service nonregistrants

"(a) A person born after December 31, 1959, who is required to register under section 3(a) of the Military Selective Service Act (50 U.S.C. App. 453(a)) and who has not so registered shall not perform services under any contract or subcontract financed in whole or in part by funds appropriated to the Department of Defense.

"(b) The Secretary may waive the application of this section with respect to a contract when the Secretary determines such a waiver is necessary in the interests of national security.".

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"2408. Contracts: performance of services by selective service nonregistrants.".

(b) EFFECTIVE DATE.—Section 2408 of title 10, United States Code (as added by subsection (a)), shall apply to contracts entered into after the date of the enactment of this Act and only with respect to individuals hired by contractors or subcontractors after such date.

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102. AN AMENDMENT OFFERED BY REPRESENTATIVE GUNDERSON OF WISCONSIN DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. GUNDERSON OF WISCONSIN

At the end of title X of division A (page 239, after line 6), add the following new section:

"SEC. 1033. INVESTIGATION AND CLEANUP OF NATIONAL PRESTO INDUSTRIES SITE.

"It is the sense of Congress that, notwithstanding the definition of 'owner or operator' in section 101 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. 9601)—

(1) the Department of Defense has a responsibility to investigate the clean up any hazardous substance resulting from the production of munitions and ordinance materials for the Department of Defense at the National Presto Industries plant near Eau Claire, Wisconsin, and

(2) the Secretary of Defense should provide sufficient funds to immediately and expeditiously investigate and clean up any such hazardous substance which has contaminated the site, structures, equipment or natural resources at or near the National Presto Industries Plant."

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103. AN AMENDMENT OFFERED BY REPRESENTATIVE GUNDERSON OF WISCONSIN DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. GUNDERSON OF WISCONSIN

Page 237, line 25, strike out "or".

Page 238, line 3, strike out the period and insert in lieu thereof "; or".

Page 238, insert after line 3 the following new paragraph:

(4) public and private not-for-profit organizations eligible for assistance under section 7(h) of the Small Business Act.

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104. AN AMENDMENT OFFERED BY REPRESENTATIVE SAVAGE OF ILLINOIS DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. SAVAGE OF ILLINOIS

Page 237, strike out line 15 and all that follows through page 239, line 5, and insert in lieu thereof the following:

SEC. 1032. CONTRACT SET-ASIDE REQUIREMENTS.

(a) SET-ASIDE REQUIREMENT.—Except as provided in subsection (d), not less than 10 percent of each amount described in subsection (b) shall be obligated during any fiscal year for contracts entered into with—

(1) small business concerns owned and controlled by socially and economically disadvantaged individuals (as defined by section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and regulations issued under such section);

(2) historically Black colleges and universities; or

(3) minority institutions (as defined by the Secretary of Education pursuant to the General Education Provisions Act (20 U.S.C. 1221 et seq.).

(b) AMOUNT TO BE SET-ASIDE.—The requirements of subsection (a) for any fiscal year apply to each of the following amounts:

(1) Funds appropriated to the Department of Defense for such fiscal year for procurement.

(2) Funds appropriated to the Department of Defense for such fiscal year for research, development, test, and evaluation.

(3) Funds appropriated to the Department of Defense for such fiscal year for military construction.

(4) Funds appropriated to the Department of Defense for operation and maintenance.

(c) TECHNICAL ASSISTANCE.—The Secretary of Defense shall provide for technical assistance to potential contractors described in subsection (a). Such technical assistance shall include information about the set-aside program, advice about Department of Defense procurement procedures, assistance in preparation of proposals, and such other assistance as the Secretary considers appropriate.

(d) APPLICABILITY.—Subsection (a) does not apply—

(1) to the extent to which the Secretary of Defense determines that compelling national security considerations require otherwise; and

(2) if the Secretary making such a determination notifies Congress of such determination and the reasons for such determination.

(e) COMPETITIVE PROCEDURES AND ADVANCE PAYMENTS.—In carrying out the requirements of subsection (a), the Secretary of Defense shall—

(1) solicit bids or competitive proposals in a manner designed to achieve full and open competition for the procurement, and

(2) to the extent practicable and when necessary to facilitate achievement of the 10 percent set-aside requirement described in subsection (a), make advance payments under section 2307 of title 10, United States Code, to contractors described in subsection (a).

(f) ANNUAL REPORT.—(1) Not later than May 1 of each fiscal year, the Secretary of Defense shall submit to Congress a report on the compliance of the Secretary with the requirements of subsection (a) during the preceding fiscal year. Each such report shall include—

(A) a full explanation of any failure to comply with such requirements; and

(B) a plan to remedy such failure.

(2) The first report required by subsection (a) shall be submitted not later than May 1, 1987.

(g) EFFECTIVE DATE.—This section applies to each of fiscal years 1987, 1988, 1989, 1990, and 1991.

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105. AN AMENDMENT OFFERED BY REPRESENTATIVE MRAZEK OF NEW YORK DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. MRAZEK OF NEW YORK

At the end of title X of division A (page 239, after line 5), insert the following new section:

SEC. 1033. RESEARCH ON ALTERNATIVE USES FOR STRATEGIC DEFENSE INITIATIVE TECHNOLOGY.

Of the amounts authorized to be appropriated in section 201 for the Defense Agencies, $3,100,000 is only available to the Secretary of Defense for purposes of entering into a contract with the National Academy of Sciences to conduct a series of studies on alternative uses of technology related to the Strategic Defense Initiative.

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106. AN AMENDMENT OFFERED BY REPRESENTATIVE ZSCHAU OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. ZSCHAU OF CALIFORNIA

At the end of title X of division A (page 239, after line 5), insert the following new section:

SEC. 1033. RESTRICTIONS ON FOREIGN MISSIONS IN THE UNITED STATES.

(a) TRAVEL RESTRICTIONS ON THE MEMBERS OF FOREIGN MISSIONS OF SOVIET BLOC COUNTRIES.—Title II of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4301 et seq.) is amended by adding at the end thereof the following new section:

"SEC. 215. TRAVEL RESTRICTIONS ON THE MEMBERS OF FOREIGN MISSIONS OF SOVIET BLOC COUNTRIES.

"(a) IMPOSITION.—The Secretary of State shall impose on the members (and the family of such members) of the foreign mission of a Soviet Bloc country the terms, limitations, restrictions, and conditions which are essentially equivalent to those imposed pursuant to this title on the members (and the family of such members) of the foreign mission of the Soviet Union.

"(b) WAIVER.—The Secretary may waive subsection (a) in specific circumstances if the Secretary determines that to do so is in the national interests of the United States. The Secretary shall report each waiver of subsection (a) to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate not later than 10 days after such waiver is granted.

"(c) REPORTS.—(1) Not later than 30 days after the date of the enactment of this section, the Secretary shall submit a report on the plans of the Secretary for implementing this section, and not later than six months after the date of the enactment of this section, the Secretary shall submit a report on the actions taken to implement such plans.

"(2) The reports referred to in paragraph (1) shall be submitted to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

"(d) DEFINITIONS.—For the purposes of this section—

"(1) the term 'family' means the members of the family of a member of a foreign mission described in paragraph (3) who form part of the household of that member if they are not nationals or permanent resident aliens of the United States;

"(2) the term 'members of the foreign mission' means—

"(A) the head of a foreign mission and the members of the diplomatic staff of a foreign mission,

"(B) members of the administrative and technical staff of a foreign mission, and

"(C) members of the service staff of a foreign mission,

as such terms are defined in Article 1 of the Vienna Convention on Diplomatic Relations (23 UST 3227); and

"(3) the term 'Soviet Bloc country' means Bulgaria, Cuba, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, Poland, Romania, and Vietnam.".

(b) GOVERNMENT-DIRECTED TRADE ACTIVITIES INCLUDED IN THE DEFINITION OF FOREIGN MISSION.—

(1) AMENDMENT OF DEFINITION.—Section 202(a)(4) of Title II of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4302(a)(4)) is amended by inserting "(including government-directed activities involving international trade)" after "governmental activities".

(2) REPORT.—Not later than six months after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report describing in detail the restrictions which apply to the foreign missions of government-directed activities involving international trade as a result of the amendment made by subsection (a).

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107. AN AMENDMENT OFFERED BY REPRESENTATIVE BRUCE OF ILLINOIS DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED OFFERED BY MR. BRUCE OF ILLINOIS

At the end of title X of division A (page 239, after line 5), insert the following new section:

SEC. 1033. CLARIFICATION OF RESTRICTIONS ON PURCHASE OF 5-TON TRUCKS.

Section 125 of the Department of Defense Authorization Act, 1986, is amended by adding at the end the following new subsection:

"(d) APPLICABILITY OF DFARS.—Nothing in this section may be construed as exempting the applicability of the provisions of 8.7801 through 8.7803 of Department of Defense Federal Acquisition Regulations, relating to forging items that must be acquired from domestic sources, to the purchase of 5-ton trucks, or engines or components of such trucks, by the Army.".

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108. AN AMENDMENT OFFERED BY REPRESENTATIVE KOLBE OF ARIZONA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. KOLBE OF ARIZONA

At the end of title X of division A (page 239, after line 5), add the following new section:

SEC. 1033. REIMBURSEMENT FOR TRANSFERRED DEFENSE INDUSTRIAL RESERVE EQUIPMENT.

Section 4 of the Defense Industrial Reserve Act (50 U.S.C. 453) is amended—

(1) by striking out paragraph (4) and inserting in lieu thereof the following:

"(4) direct the transfer of such property to other Government agencies with the consent of such agencies and with reimbursement as provided under clause (5);";

(2) by redesignating paragraphs (5), (6), and (7) as paragraphs (6), (7), and (8), respectively; and

(3) by inserting after paragraph (4) the following new paragraph (5):

"(5) prescribe general policies and fee schedules for reimbursement of the Department of Defense by other Government agencies for the full cost (including direct and indirect costs) of storage, repair, maintenance, and allocated overhead of property transferred to such agencies from the defense industrial reserve;".

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109. AN AMENDMENT OFFERED BY REPRESENTATIVE ROWLAND OF CONNECTICUT DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. ROWLAND OF CONNECTICUT

At the end of title X of division A (page 239, after line 5), insert the following:

SEC. 1033. PROVISIONS RELATING TO SUBMISSION OF FALSE COST OR PRICING DATA BY DEFENSE CONTRACTORS.

(a) CIVIL AND CRIMINAL ACTIONS.—

(1) IN GENERAL.—Section 2306(f) of title 10, United States Code, is amended by adding at the end thereof the following new paragraphs:

"(6) A civil action under section 3730 of title 31 (relating to civil actions for false claims) may be brought—

"(A) against a prime contractor (or subcontractor) who—

"(i) submits false cost or pricing data under paragraph (1); and

"(ii) knew or should have known that the data was false; and

"(B) against the chief executive officer (or the equivalent of that officer) of a prime contractor (or subcontractor) described in subparagraph (A) if—

"(i) the prime contractor (or subcontractor) did not have in effect an auditing system approved by the Secretary of Defense under paragraph (9) and the officer, in the proper exercise of the authority of the officer, should have known that the data was false; or

"(ii) the officer knew that the data was false.

"(7) A person against whom a judgment is rendered in a civil action brought under section 3730 of title 31 by reason of the provisions of paragraph (6) shall be liable to the United States for—

"(A) a civil penalty of not more than $500,000;

"(B) an amount equal to two times the amount of the damage the United States sustains because of the act of that person in submitting false cost or pricing data; and

"(C) the costs of the civil action.

"(8)(A) If a prime contractor (or subcontractor) submits false cost or pricing data under paragraph (1), and knew or should have known that the data was false, that action shall be considered to be a violation of section 287 of title 18.

"(B) The chief executive officer (or the equivalent of that officer) of a prime contractor (or subcontractor) described in subparagraph (A) shall be considered to have violated section 287 of title 18 if—

"(i) the prime contractor (or subcontractor) did not have in effect an auditing system approved by the Secretary of Defense under paragraph (9) and the officer, in the proper exercise of the authority of the officer, should have known that the data was false; or

"(ii) the officer knew that the data was false.

"(9) The Secretary of Defense may approve an auditing system for a prime contractor (or subcontractor) that—

"(A) is designed to detect fraud or overcharges with respect to contracts with the Department of Defense;

"(B) provides for notice to the Secretary of any such fraud or overcharge; and

"(C) is determined by the Secretary to meet minimum standards established by the Secretary with respect to—

"(i) frequency of audits;

"(ii) program integrity; and

"(iii) such other matters as the Secretary determines.".

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to submissions of cost or pricing data made on or after the date of the enactment of this Act.

(b) PROVISIONS RELATING TO DEBARMENT OF DEFENSE CONTRACTORS.—Section 2393 of title 10, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

"(c)(1) The Secretary of Defense or the Secretary of a military department may not debar a prime contractor (or subcontractor) unless the United States commences an action in the United States District Court for the District of Columbia to debar that prime contractor (or subcontractor) and—

"(A) the prime contractor (or subcontractor) does not file a motion with respect to that action before the end of the 90-day period beginning on the date that the action is filed; or

"(B) the Court decides the action in favor of the United States.

"(2) It is the duty of the District Court for the District of Columbia to advance on the docket and to expedite to the greatest possible extent the disposition of any action brought under paragraph (1).".

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110. AN AMENDMENT OFFERED BY REPRESENTATIVE DORGAN OF NORTH DAKOTA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DORGAN OF NORTH DAKOTA

Page 236, after line 12, add the following new section:

SEC. 1022. REPORT ON EFFORTS TO INCREASE DEFENSE CONTRACT AWARDS TO INDIAN-OWNED BUSINESS.

(a) REPORT.—The Secretary of Defense shall submit to Congress a report on the efforts by the Department of Defense during fiscal year 1986 to increase defense contract awards to Indian-owned businesses in accordance with the memorandum of understanding between the Department of Defense and the Small Business Administration of September 29, 1983. Such report shall include, to the maximum extent practicable, any data regarding the number and value of prime contracts awarded by the Department of Defense during such fiscal year to such businesses.

(b) DEADLINE.—The report required by subsection (a) shall be submitted no later than March 31, 1987.

(c) INDIAN-OWNED BUSINESS DEFINED.—For purposes of this section, the term "Indian-owned business" means a firm owned and controlled by American Indians, including a tribally owned for-profit entity.

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111. AN AMENDMENT OFFERED BY REPRESENTATIVE DORGAN OF NORTH DAKOTA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DORGAN OF NORTH DAKOTA

Page 236, after line 12, add the following new section:

SEC. 1022. REPORT ON GEOGRAPHIC DISTRIBUTION OF DEFENSE CONTRACTS.

(a) REPORT.—The Secretary of Defense shall submit to Congress a report on the geographic distribution by State of defense contract awards during fiscal years 1985 and 1986. Such report shall include—

(1) an analysis of any efforts undertaken by the Department of Defense to reduce disparities in the number and value of contract awards between geographic regions and between States; and

(2) data on direct purchases, indirect purchases, indirect payroll, total defense spending, share of net State product, and per capita amounts of defense outlays, using the Department of Defense's Defense Economic Impact Modeling System.

(b) DEADLINE.—The report required by subsection (a) shall be submitted no later than March 31, 1987.

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112. AN AMENDMENT OFFERED BY REPRESENTATIVE DORGAN OF NORTH DAKOTA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DORGAN OF NORTH DAKOTA

Page 236, after line 12, add the following new section:

SEC. 1022. SENSE OF CONGRESS EXPRESSING SUPPORT FOR A CENTRAL ROLE FOR NUCLEAR RISK REDUCTION CENTERS.

Whereas Congress has expressed its prior support for the establishment of nuclear risk reduction centers;

Whereas Congress supports the President's willingness to negotiate an agreement with the Soviet Union to establish such centers in each nation: Now, therefore, be it

Resolved, That it is the sense of the Congress that if an agreement on nuclear risk reduction centers is signed, that the American center should be tasked with the responsibility for ongoing assessment of federal risk reduction activities, to serve as the locus of such federal activities, and to submit an annual report to the Congress on risk reduction activities.

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113. AN AMENDMENT OFFERED BY REPRESENTATIVE LEVINE OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. LEVINE OF CALIFORNIA

At the end of title X of division A (page 239, after line 5), add the following new section:

SEC. 1033. LIMITATION ON SOURCE OF FUNDS FOR NICARAGUAN DEMOCRATIC RESISTANCE.

Notwithstanding title II of the Military Construction Appropriations Act, 1987, or any other provision of law, funds appropriated or otherwise made available to the Department of Defense for any fiscal year for operation and maintenance may not be used to provide assistance for the democratic resistance forces in Nicaragua. If funds appropriated or otherwise made available to the Department of Defense for any fiscal year are authorized by law to be used for such assistance, funds for such purpose may only be derived from amounts appropriated or otherwise made avail-

able to the Department for procurement (other than for procurement of ammunition).

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114. AN AMENDMENT OFFERED BY REPRESENTATIVE DICKINSON OF ALABAMA DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DICKINSON OF ALABAMA

Page 313, after line 17, insert the following new section:

SEC. 2715. EXEMPTION FOR CERTAIN MILITARY CONSTRUCTION CONTRACTS.

(a) IN GENERAL.—Section 2852 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(c)(1) The Secretary of Defense and the Secretaries of the military departments may enter into a contract for not more than $250,000 to carry out any authorized military construction and military family housing project without regard to the requirements of the Act entitled 'An Act relating to the rate of wages for laborers and mechanics employed on public buildings of the United States and the District of Columbia by contractors and subcontractors, and for other purposes', approved March 3, 1931 (40 U.S.C. 276a-276a-5) (commonly referred to as the 'Davis-Bacon Act').

"(2) The Secretary of Defense or the Secretary of a military department may not divide any project into contracts of not more than $250,000 for the purpose of avoiding the application of the Act described in paragraph (1) to contracts entered into with respect to such project."

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to solicitations for bids or proposals made on and after the date of enactment of this Act.

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115. AN AMENDMENT OFFERED BY REPRESENTATIVE HERTEL OF MICHIGAN DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. HERTEL OF MICHIGAN

Page 262, strike out line 8.

Page 278, line 22, strike out "$2,210,683,000" and insert in lieu thereof "$2,156,283,000".

Page 278, line 25, strike out "$1,138,005,000" and insert in lieu thereof "$1,085,055,000".

Page 279, line 16, strike out "$5,400,000" and insert in lieu thereof "$3,950,000".

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116. AN AMENDMENT OFFERED BY REPRESENTATIVE LUJAN OF NEW MEXICO DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. LUJAN OF NEW MEXICO

Page 300, after line 18, insert the following:

Kirtland Air Force Base, New Mexico, $16,000,000.

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117. AN AMENDMENT OFFERED BY REPRESENTATIVE DANNEMEYER OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DANNEMEYER OF CALIFORNIA

Page 259, after line 19, insert the following:

SEC. 2112. TRANSFER OF JURISDICTION OF PROPERTY AT LOS ALAMITOS ARMED FORCES RESERVE CENTER, CALIFORNIA.

(a) TRANSFER OF AUTHORITY.—The Secretary of the Army shall transfer to the Secretary of the Navy the real property (and improvements thereon) on which the Los Alamitos Armed Forces Reserve Center, Los Alamitos, California, is located.

(b) USE OF REAL PROPERTY.—The Secretary of the Navy shall use the real property described in subsection (a) for military family housing.

(c) PRIORITY GIVEN ON RELOCATION OF ACTIVITIES.—In determining the location, if any, to which the activities carried out on such real property on the date of the enactment of this Act are to be relocated, the Secretary of the Army shall give priority consideration to locations in the Southern California area.

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118. AN AMENDMENT OFFERED BY REPRESENTATIVE DANNEMEYER OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DANNEMEYER OF CALIFORNIA

Page 259, after line 19, insert the following:

SEC. 2112. STUDY OF USE OF PROPERTY AT LOS ALAMITOS ARMED FORCES RESERVE CENTER, CALIFORNIA, FOR MILITARY FAMILY HOUSING.

(a) IN GENERAL.—The Secretary of the Army and the Secretary of the Navy shall conduct a study concerning the potential use of the property currently being utilized as the Los Alamitos Armed Forces Reserve Center, California, for military family housing for the Navy.

(b) MATTERS TO CONSIDER.—In conducting the study described in subsection (a), each of the Secretaries shall take into consideration—

(1) the extensive number of complaints from residents concerning aircraft noise;

(2) the need for such military family housing; and

(3) the public safety concerns involved with respect to military aircraft flying over a highly populated, urban area.

(c) DATE OF TRANSMITTAL.—The Secretaries described in subsection (a) shall transmit a copy of the findings and conclusions of the study carried out under this section to the Committees on Armed Services of the House of Representatives and the Senate no later than 90 days after the date of enactment of this Act.

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119. AN AMENDMENT OFFERED BY REPRESENTATIVE RICHARDSON OF NEW MEXICO DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. RICHARDSON OF NEW MEXICO

Page 308, line 23, insert before "and" the following: "plus $5,939,000 for various facilities in New Mexico,".

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120. AN AMENDMENT OFFERED BY REPRESENTATIVE RICHARDSON OF NEW MEXICO DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. RICHARDSON OF NEW MEXICO

Page 259, insert the following new section after line 19:

SEC. 2112. LAND EXCHANGE, SANTA FE, NEW MEXICO.

(a) AUTHORITY TO CONVEY.—(1) Subject to subsections (b) through (f), the Secretary of the Army may make the conveyances described in paragraphs (2) and (3).

(2) The Secretary may convey, without reimbursement, to the City of Santa Fe, New Mexico (hereinafter in this section referred to as the "City"), all right, title, and interest of the United States in and to the southernmost 27.88 acres, more or less, of the parcel of land conveyed to the State of New Mexico in accordance with

the Act of June 19, 1956 (70 Stat. 296) and currently being leased to the City as a public park.

(3) The Secretary may convey, without reimbursement, to the New Mexico State Armory Board (hereinafter in this section referred to as the "Board"), all right, title, and interest of the United States in and to the northernmost 21.61 acres, more or less, of the parcel of land conveyed to the State of New Mexico in accordance with the Act of June 19, 1956 (70 Stat. 296), and currently the location of the State headquarters and other facilities of the New Mexico National Guard.

(b) CONDITIONS.—The lands conveyed by the Secretary under subsection (a) shall be subject to the following conditions:

(1) The City shall, in accordance with the agreement entered into under subsection (d), provide to the Board a site of not less than 250 acres determined by the Board to be acceptable for the construction of—

(A) an armory for all New Mexico National Guard units located in Santa Fe, New Mexico;

(B) an organizational maintenance shop;

(C) a United States property and fiscal office building and warehouse;

(D) a headquarters complex for the New Mexico National Guard;

(E) a local training area for the New Mexico National Guard units;

(F) a complex for the New Mexico Army National Guard officer candidate school and noncommissioned officer academy; and

(G) additional facilities specified by the National Guard Bureau or the New Mexico State Armory Board.

(2) The Board shall use the land provided to it by the City pursuant to paragraph (1) for the training and support of the National Guard of New Mexico, and for other military purposes, and if the site ever ceases to be used for such purposes, all right, title, and interest in and to such property shall revert to and become the property of the United States which shall have the immediate right of entry thereon.

(c) MINERAL RIGHTS.—The conveyances made by the Secretary under subsection (a) shall reserve all mineral rights, including oil and gas, to the United States in accordance with the Act of June 19, 1956 (70 Stat. 296).

(d) GENERAL AUTHORITY.—To implement the land exchange authorized by this section, the Secretary may enter into agreements with the City, the Board, and such other parties the Secretary determines are necessary to effectuate the purpose of this section.

(e) LEGAL DESCRIPTION OF LANDS.—The exact acreage and legal description of the site provided by the City to the Board in accordance with subsection (b) shall be determined by surveys that are satisfactory to the Secretary. The cost of any such surveys shall be borne by the City or the Board.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such other terms and conditions with respect to the transaction authorized by this section as the Secretary considers appropriate to protect the interests of the United States.

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121. AN AMENDMENT OFFERED BY REPRESENTATIVE RICHARDSON OF NEW MEXICO DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. RICHARDSON OF NEW MEXICO

Page 309, after line 6, insert the following:

SEC. 2602. REORGANIZATION OF NEW MEXICO ARMY NATIONAL GUARD.

The Secretary of the Army shall provide that the New Mexico Army National Guard is reorganized in accordance with the reorganization plan entitled "New Mexico Army National Guard Reorganization Stationing Plan", issued pursuant to a directive from the Chief of the National Guard Bureau, Department of Defense, and dated April 1986.

122. AN AMENDMENT OFFERED BY REPRESENTATIVE RICHARDSON OF NEW MEXICO DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. RICHARDSON OF NEW MEXICO

Page 308, line 23, insert before "and" the following: "plus $5,000,000 for a facility in San Miguel County, New Mexico,".

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123. AN AMENDMENT OFFERED BY REPRESENTATIVE FUQUA OF FLORIDA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT BY MR. FUQUA TO H.R. 4428, DIVISION C, PART C, PATENT POLICY

On pages 335, 336 and 337, delete section 3031 in its entirety.

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124. AN AMENDMENT OFFERED BY REPRESENTATIVE FUQUA OF FLORIDA DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT BY MR. FUQUA TO H.R. 4428, DIVISION C, PART C, PATENT POLICY

On pages 335, 336 and 337, strike section 3031 in its entirety, and insert in lieu thereof:

"SEC. 3031. PROTECTION OF SENSITIVE TECHNICAL INFORMATION.

"(a) SECRETARY OF ENERGY DETERMINATION.—Whenever any contractor makes an investigation or discovery to which the Department of Energy has reserved the right to retain ownership at the time of contracting pursuant to 35 U.S.C. 202(a)(ii) or (iv) or pursuant to section 152 or section 159 of the Atomic Energy Act of 1954, as amended, (42 U.S.C. 2182 or 2189) in the course of or under any Government contract or subcontract of the Naval Nuclear Propulsion Program or the nuclear weapons programs or other atomic energy defense activities of the Department of Energy, the Secretary of Energy shall decide whether or not to assign to the contractor and property rights in such invention or discovery. Such decision shall be made within a reasonable time (usually six months from the date of disclosure to the Department or from the date of request by the contractor for assignment of such rights, whichever is later).

"(b) MILITARY LIAISON COMMITTEE.—In making a decision under subsection (a), the Secretary may consider the recommendation and written determination of the Military Liaison Committee (established by section 27 of the Atomic Energy Act of 1954 (42 U.S.C. 2027)) as to whether or not, if such a claim is not asserted—

"(1) national security will be compromised;

"(2) sensitive technology information (whether classified or unclassified under the Naval Nuclear Propulsion Program or the nuclear weapons programs or other atomic energy defense activities of the Department of Energy for which dissemination is controlled under Federal statutes and regulations will be released to unauthorized persons;

"(3) an organizational conflict of interest contemplated by Federal statutes and regulations will result; or

"(4) failure to assert such a claim will adversely affect the operation of any program of the Naval Nuclear Propulsion Program or the nuclear weapons programs or other atomic energy defense activities of the Department of Energy.

"(c) CONSULTATIONS BY COMMITTEE.—(1) In making any recommendation and determination under subsection (b) for matters pertaining to the Naval Nuclear Propulsion Program, the Committee shall consult the Director of that program.

"(2) In making any recommendation and determination under subsection (b) for matters affecting nuclear weapons and other atomic energy defense activities of the Department of Energy, the Committee shall consult the Assistant Secretary of Energy for Defense Programs.

(d) CONSULTATION WITH SECRETARY OF DEFENSE.—In carrying out this section, the Secretary of Energy shall consult with the Secretary of Defense."

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125. AN AMENDMENT OFFERED BY REPRESENTATIVE WIRTH OF COLORADO DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. WIRTH OF COLORADO

At the end of division C (page 353, after line 10), add the following new title:

TITLE IV—NUCLEAR WINTER RESEARCH

SECTION 3301. SHORT TITLE.

This title may be cited as the "Nuclear Winter Research Act of 1986".

SEC. 3302. PURPOSE.

It is the purpose of this title to—

(1) authorize $8,500,000 in each of the next five fiscal years for Department of Defense funding of research on the nuclear winter theory by reducing by an equal amount the authorization for strategic nuclear weapons research programs;

(2) authorize $2,500,000 for Department of Energy funding of research on the nuclear winter theory by reducing by an equal amount the authorization for strategic nuclear weapons research programs;

(3) encourage the development of a nuclear winter scientific research program that encompasses all potential consequences of nuclear explosions and nuclear exchanges, including atmospheric, climatic, biological, health, and environmental consequences;

(4) promote the development of a balanced scientific research program which makes increased use of university and nongovernmental research organizations; and

(5) establish a commission, to be chaired by the Secretary of Defense and appointed by the President, in consultation with the Speaker of the House of Representatives and the President pro tempore of the Senate, to examine the science and defense policy implications of the nuclear winter theory.

SEC. 3303. AUTHORIZATION FOR NUCLEAR WINTER RESEARCH.

(a) AUTHORIZATION.—

(1) DEPARTMENT OF DEFENSE.—Of the funds appropriated to the Department of Defense for each of fiscal years 1987 through 1991 for research, development, test, and evaluation for defense agencies, the Secretary of Defense shall obligate not less than $8,500,000 for nuclear winter research as described in subsection (b) for each of such fiscal years.

(2) DEPARTMENT OF ENERGY.—Of the funds appropriated to the Department of Energy for each of fiscal years 1987 through 1991 for research and development for weapons activities, the Secretary of Energy shall obligate not less than $2,500,000 for nuclear winter research as described in subsection (b) during each of such fiscal years.

(3) ALLOCATION FOR DEFENSE NUCLEAR AGENCY.—$8,000,000 of the amount obligated pursuant to paragraph (1) shall be allocated to the Secretary of Defense, who, acting through the director of the Defense Nuclear Agency, shall distribute such funds to government and nongovernment agencies and research organizations for nuclear winter research as described in subsection (b).

(4) ALLOCATION FOR COMMISSION.—$500,000 of the amount obligated pursuant to paragraph (1) shall be used to carry out section 3304 of this title.

(b) PURPOSES.—The funds authorized under subsection (a) shall be used for the following purposes:

(1) to improve computer modeling efforts on the short- and long-term climatic effects of nuclear winter;

(2) to expand field research in areas related to the nuclear winter theory, including fire ignition, smoke production and composition, and smoke plume dynamics;

(3) to create a substantial research program on the atmospheric, climatic, biological, health, and environmental consequences of nuclear explosions and nuclear exchanges; and

(4) to develop new sources of research apart from government laboratories and agencies, including universities, nongovernmental laboratories, and research organizations.

(c) REPORT.—The Secretary of Defense, acting through the Director of the Defense Nuclear Agency, and the Secretary of Energy shall each submit to Congress by the end of each of fiscal years 1987 through 1991 a detailed report on the allocation of funds appropriated pursuant to the authorization in subsection (a). The report shall include a list of the recipients of such funds, the research which such funds were used for, and information on the progress of such research.

SEC. 3304. NUCLEAR WINTER STUDY COMMISSION.

(a) ESTABLISHMENT.—There is established a commission to be known as the "Nuclear Winter Study Commission" (hereinafter in this title referred to as the "Commission").

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of 13 members as follows:

(A) The Secretary of Defense (or his delegate).

(B) 12 persons appointed within 30 days after the date of the enactment of this title by the President, six of whom shall be from a list of 10 persons submitted to the President by the Speaker of the House of Representatives, and six of whom shall be from a list of 10 persons submitted to the President by the President pro tempore of the Senate. The persons on the lists submitted shall be persons who are specially qualified to serve on the Commission by virtue of their education, training, or experience in—

(i) defense policy in the areas of nuclear weapons, arms control, and civil defense policies, or

(ii) atmospheric, climatic, biological, health, or environmental sciences, or other appropriate sciences,

and who have knowledge and experience in nuclear winter theory.

(2) CHAIRMAN.—The Secretary of Defense or his delegate shall act as chairman of the Commission.

(3) TERM.—The term of office of each member shall be for the life of the Commission. A vacancy in the Commission shall not affect its powers and shall be filled in the manner in which the original appointment was made.

(4) EXPENSES.—Each member of the Commission shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

(c) DUTIES.—The duties of the Commission are as follows:

(1) STUDY.—The Commission shall conduct a comprehensive study on the atmospheric, climatic, biological, health, and environmental consequences of nuclear explosions and nuclear exchanges and the implications that such consequences have for the nuclear weapons, arms control, and civil defense policies of the United States.

(2) REPORT.—Not later than one year after appointment of the Commission, the Commission shall submit to the President and the Congress an unclassified report suitable for release to the public, with classified addenda if necessary, on the study conducted under paragraph (1). The report shall contain the following:

(A) A detailed review and assessment of the findings in the current body of domestic and international scientific literature on the atmospheric, climatic, biological, health, and environmental consequences of nuclear explosions and nuclear exchanges.

(B) A thorough evaluation of the implications that such findings have on—

(i) the nuclear weapons policy of the United States, especially with regard to strategy, targeting, planning, command, control, procurement, and deployment;

(ii) the nuclear arms control policy of the United States; and

(iii) the civil defense policy of the United States.

(C) A discussion of the manner in which the results of such evaluation of policy implications will be incorporated into the nuclear weapons, arms control, and civil defense policies of the United States.

(D) An analysis of the extent to which current scientific findings on the consequences of nuclear explosions are being studied, disseminated, and used in the Soviet Union.

(d) POWERS.—

(1) The Commission or any member it authorizes may, for the purpose of carrying out this title, hold such hearings, sit and act at such times and places, request such attendance, take such testimony and receive such evidence, as the Commission considers appropriate. The Commission or any such member may administer oaths or affirmations to witnesses appearing before it.

(2) The Commission may obtain from any department or agency of the United States information that it considers useful in the discharge of its duties. Upon request of the Chairman, the head of such department or agency shall furnish such information to the Commission to the extent permitted by law.

(3) The Commission may appoint and fix the pay of such personnel as it considers appropriate, in accordance with the Federal Advisory Committee Act (5 App. U.S.C. 1 et seq.)

(4) The Commission may request the head of any Federal agency to assign, with or without reimbursement, any personnel of such agency to the Commission to assist in carrying out the Commission's duties under this title.

(5) The Commission may obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code.

(6) The Commission may solicit, accept, use, and dispose of donations of money, property, or services.

(7) The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(8) The Administrator of General Services shall provide to the Commission on a reimbursable basis such administrative support services as the Commission may request.

(9) The Commission may procure by contract any supplies, services, and property, including the conduct of research and the preparation of reports by Government agencies and private firms, necessary to discharge the duties of the Commission, in accordance with applicable laws and regulations and to the extent or in such amounts as are provided in appropriation Acts.

(e) TERMINATION.—The Commission shall terminate upon submission of its report to the President and the Congress under subsection (c).

(f) SUBJECT TO FEDERAL ADVISORY COMMITTEE ACT.—The Commission is subject to the Federal Advisory Committee Act (5 App. U.S.C. 1 et seq.) to the extent such Act is not inconsistent with this section.

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126. AN AMENDMENT OFFERED BY REPRESENTATIVE DICKS OF WASHINGTON DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DICKS OF WASHINGTON

At the end of title I of division C (page 341, after line 4), add the following new section:

SEC. 3036. CRIMINAL PENALTY FOR INTERFERENCE WITH DEPARTMENT OF ENERGY NUCLEAR SHIPMENTS.

(a) PENALTY.—Chapter 18 of the Atomic Energy Act of 1954 is amended by adding after section 236 the following new section:

"SEC. 237. INTERFERENCE WITH SHIPMENTS OF NUCLEAR MATERIALS.—a. Whoever, willfully and knowingly, commits or attempts to commit any act to obstruct, impede, or interfere with the movement of any Department of Energy nuclear materials shipment related to national security programs of the Department, whether the shipment is by motor vehicle, boat, railcar, aircraft, or any other means, shall be punished as described in subsection b.

"b.(1) In the case of a first conviction for a violation under subsection a. when no property damage or personal injury resulted from the injury, the person committing the violation shall be punished by a fine of not more than $500, or imprisonment for not more than six months, or both.

"(2) In the case of a second or subsequent conviction for a violation under subsection a., or a first conviction when a personal injury or property damage was caused during or as a direct result of the violation, the person committing the violation

shall be punished by a fine of not more than $5,000, or imprisonment for not more than two years, or both.

"c. For purposes of this section—

"(1) the term 'nuclear materials' includes—

"(A) nuclear weapons, nuclear explosive devices, or special nuclear materials, and

"(B) other nuclear materials containing source, byproduct, or special nuclear material; and

"(2) the term 'special nuclear material' has the meaning given such term by section 11 aa. of this Act.".

(b) CLERICAL AMENDMENT.—The table of contents of such Act is amended by adding after the item relating to section 236 the following new item:

"Sec. 237. Interference with shipments of nuclear materials.".

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127. AN AMENDMENT OFFERED BY REPRESENTATIVE BOUCHER OF VIRGINIA DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. BOUCHER OF VIRGINIA

At the end of title II of division C (page 341, after line 4), add the following new section:

SEC. 3036. REPEAL OF PROVISION OF CONTRACTOR LIABILITY FOR CLAIMS ARISING OUT OF ATOMIC WEAPONS TESTING PROGRAMS.

(a) REPEAL.—Section 1631 of the Department of Defense Authorization Act, 1985 (Public Law 98-525; 98 Stat. 2646) is repealed effective on October 19, 1984.

(b) EFFECT ON STATUTES OF LIMITATIONS.—The period during which section 1631 of the Department of Defense Authorization Act, 1985, was in effect shall not be taken into account in computing the period provided in any Federal or State statute of limitations applicable to any civil action for an injury, loss of property, personal injury, or death described in subsection (a)(1) of such section.

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128. AN AMENDMENT OFFERED BY REPRESENTATIVE RICHARDSON OF NEW MEXICO DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. RICHARDSON OF NEW MEXICO

Page 320, line 16, strike out "$1,000,000" and insert in lieu thereof "$10,000,000".

Page 320, line 17, strike out "$4,000,000" and insert in lieu thereof "$13,000,000".

Page 329, insert the following after line 20:

(6) For verification and control technology:
Project 85-D-171, space science laboratory, Los Alamos, New Mexico, $2,000,000, for a total project authorization of $7,500,000.

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129. AN AMENDMENT OFFERED BY REPRESENTATIVE DELLUMS OF CALIFORNIA DEBATABLE FOR NOT TO EXCEED 40 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. DELLUMS OF CALIFORNIA

At the end of division D (page 365, after line 23), add the following new section:

SEC. 4005. PROHIBITION ON MAKING PAYMENTS TO FIRMS THAT DO BUSINESS WITH SOUTH AFRICA.

No funds appropriated for fiscal year 1987 pursuant to authorizations in this Act may be obligated or expended after January 1, 1987, to make payments to a firm (or

a subsidiary of a firm) that does business (including the sale of any good or service) after January 1, 1987, with the Government of South Africa or with any South African business enterprise.

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130. AN AMENDMENT OFFERED BY REPRESENTATIVE SOLOMON OF NEW YORK DEBATABLE FOR NOT TO EXCEED 10 MINUTES

AMENDMENT TO H.R. 4428, AS REPORTED, OFFERED BY MR. SOLOMON OF NEW YORK

At the end of the bill, add the following new section:

SEC. 4005. AMENDMENT OF MILTARY SELECTIVE SERVICE ACT TO PROVIDE ELIGIBILITY FOR BENEFITS TO CERTAIN PERSONS WHO FAIL TO REGISTER.

(a) ELIGIBILITY FOR BENEFITS.—Section 12 of the Military Selective Service Act (50 U.S.C. App. 462) (relating to penalties) is amended—

(1) by striking out "Any person" in subsection (f)(1) and inserting in lieu thereof "Except as provided in subsection (g), any person"; and

(2) by adding at the end the following new subsection:

"(g) Any person discharged under honorable conditions from the armed forces may not be denied any right, privilege, or benefit under Federal law by reason of his failure to present himself for and submit to registration under section 3.".

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply—

(1) to a person discharged under honorable conditions before, on, or after the date of the enactment of this Act; and

(2) to rights, benefits, and privileges to which such person would have been entitled had such subsection been in effect at the time of such discharge.

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